COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 2001-00534 | Board Meeting Date: November 30, 2010

Prepared By: Michael Schaller, Senior Planner | For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS:

1. Regarding the Environmental Review

To Certify the Final EIR, Find:

a. The Final EIR has been completed in compliance with CEQA;

As discussed under Section 6 (Procedural History) in Attachment B (CEQA Findings of Fact for the Clos de la Tech Winery EIR), a Notice of Preparation for this EIR was distributed by the County, followed by the preparation of a Draft EIR. The 45-day public review period for this Draft EIR was September 7 through October 22, 2010. A Response to Comments Document (which, together with the Draft EIR constitute the Final EIR) was released and distributed to public agencies and other commenters on the Draft EIR, and for public review, on October 29, 2010, more than 10 days in advance of the scheduled date of certification. The County Planning Commission held a public hearing on November 10, 2010, to consider the Draft and Final EIR and Project Approvals and issued a recommendation concerning the project to the Board.

b. The Final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final EIR prior to deciding on the project; and

The Final EIR was presented to the Board at the November 30, 2010 hearing, at which time the Board reviewed and considered the information contained in the Findings and supporting documentation. The Board has determined that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the project. The Board finds that the EIR was prepared in compliance with CEQA and that the Board complied with CEQA's procedural and substantive requirements.

c. The Final EIR reflects the lead agency's independent judgment and analysis.

The Final Environmental Impact Report reflects the County's independent judgment. The County has exercised independent judgment in accordance with Public Resources Code Section 21082.1(c)(3) in retaining its own environmental consultant, directing the consultant in preparation of the Final Environmental Impact Report as well as reviewing, analyzing and revising material prepared by the consultant.

Regarding Significant Impacts, Find:

That the Board of Supervisors has considered the "CEQA Findings of Fact" document included as Attachment B of this report and approved the conclusion that no significant impact will occur because changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the FEIR.

Regarding the Mitigation Monitoring and Reporting Program, Find:

That, pursuant to Public Resources Code Section 21081.6, the Board hereby adopts a Mitigation Monitoring and Reporting Program, included as Attachment I of this report. In the event of inconsistencies between the mitigation measures set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

2. Regarding the Planned Unit Development Zoning Amendment, Find:

That the proposed zoning of the area would be in harmony with existing zoning in the area, and would not be in conflict with the County Master Plan (i.e., 1986 General Plan), or with any current land use plan for a sub area of the County previously adopted by the Board of Supervisors, and that the specific PUD District under consideration:

a. Is a desirable guide for the future growth of the subject area of the County.

Wineries are an allowed use in both the RM and the RM-CZ zoning districts. While case limits are stipulated in the RM district, no such limits are included in the RM-CZ district. The proposed project has been analyzed against the site and area constraints and all identified significant impacts can be mitigated. As an agricultural use, the project simply complies with the already established growth/use pattern adopted by the County over 50 years ago.

b. Will not be detrimental to the character, social and economic stability of the subject area and its environs, and will assure the orderly and beneficial development of such areas.

The primary visual characteristics of the proposal are the vineyards, which, as agriculture, are an allowed use and consistent with the rural, agricultural nature of the area. San Mateo County already has several established vineyards within its boundaries. The proposal is not introducing a new use to the County. There is no evidence to suggest that the social or economic stability of the area will be compromised. The winery will be closed to the public. No commercial or public events will be allowed at the winery.

c. Will be in harmony with the zoning in adjoining unincorporated areas.

Staff has determined that the proposal would comply with all aspects of the RM zoning which will continue to be the zoning on adjoining parcels. The primary difference between the existing RM regulations and the proposed PUD regulations is the higher case limit that the applicant is proposing.

d. Will obviate the menace to the public safety resulting from land uses proposed adjacent to highways in the County, and will not cause undue interference with existing or prospective traffic movements on said highways.

The project site is not adjacent to any highways, nor would the minor amount of traffic generated by the project cause undue conflicts with existing traffic on Skyline Boulevard (the nearest public road).

e. Will provide adequate light, air, privacy and convenience of access to the subject property and further, that said property shall not be made subject to unusual or undue risk from fire, inundation, or other dangers.

The project parcel is over 160 acres in size. All development will be located over 100 feet from the nearest property line. Based upon the analysis of hazards contained within the DEIR, there is no reason to believe the project will be subject to undue risk from natural hazards.

f. Will not result in overcrowding of the land or undue congestion of population.

The project parcel is over 160 acres in size, and the project proposes only two residential units and a bunkhouse for seasonal workers. There is no reason to believe that the proposed use will cause overcrowding on the project parcel or adjacent parcels.

3. Regarding the Lot Line Adjustment, Find:

a. That the proposed adjustment conforms with Zoning and Building Regulations.

No non-conforming parcels will result from approval of this lot line adjustment. Both parcels will exceed the minimum parcel size of this zoning district after adjustment. The existing and proposed structures on Mr. Rodgers' parcel will

conform to the required setbacks of this zoning district. There are no structures on Mr. Wyman's parcel.

b. That the proposed adjustment creates suitable building sites.

Both parcels will be over 40 acres in size after the adjustment. Both parcels will be of adequate size to accommodate potential building sites that meet minimum setback requirements. In the case of Mr. Rodgers' parcel, no additional structures are proposed other than those previously discussed. Mr. Wyman has not submitted any plans or proposals to the County.

c. That the proposed adjustment provides for adequate routine and emergency access.

The existing access improvements on the winery parcel have been reviewed and approved by the Department of Public Works and the County Fire Marshal. No applications for development of the Wyman parcel have been submitted to the County; however, there is no reason to believe that access could not be provided to the parcel in the future.

d. That the proposed adjustment provides for adequate water supply and sewage disposal.

The winery parcel has two wells on it. The applicant has submitted an application for a septic permit from the County Environmental Health Division. The lot line adjustment will not affect either of the wells or the proposed septic system.

4. Regarding the Street Name Assignment, Find:

That the proposed street name assignment of "Clos de la Tech Trail" in the South Skyline area would assist in the effective delivery of public services and would not be detrimental to the public welfare in the neighborhood.

RECOMMENDED CONDITIONS OF APPROVAL

A. Mitigation Measures Identified in the DEIR

1. **HYD-1a**: Prior to issuance of site-specific permits, the project sponsor shall prepare a Master Drainage Plan that shall comply with all applicable hydromodification requirements, including those of the Regional Water Quality Control Board and San Mateo County. The Master Drainage Plan (MDP) shall be based on: (1) Shaw Environmental, Inc., 2010. Summary of Technical Findings, Clos de la Tech Vineyard and Winery Development Project, San Mateo County, California, July; (2) Northwest Hydraulic Consultants, 2010. Review Comments for June – July Version of Shaw Report, August 2; (3) a site-specific geotechnical report prepared for the site;

and (4) final plans for all grading, roadways, buildings, and other structures proposed for the project site.

The MDP shall be prepared by a licensed engineer; require that all significant construction work occur during non-rainy seasons; and require a variety of appropriate stormwater control measures, including:

- Use of hay bales, jute netting, silt fencing;
- Reseeding of disturbed soils and use of straw mulch cover;
- Construction of engineered retention basins and vaults;
- Retention of plant cover before and after planting as feasible between vine rows;
- Use of filter strips; and
- Monitoring of soil conditions to reduce unnecessary irrigation.

Further, the MDP shall, at a minimum, require the following features for each stormwater basin on the project site. These features shall be built and/or installed prior to the issuance of the first building permit or a habitable structure, or the planting of additional vineyards (whichever comes first). The MDP shall demonstrate that such structures prevent significant stormwater flow based on the BAHM analysis contained in the Shaw report.

Basin 1: The project applicant shall install 25 hay bale structures along the base of the new vineyard area or a single trapezoid-shaped pond measuring approximately 77 feet by 77 feet.

Basin 2: The project applicant shall install 20 hay bale structures along the base of the new vineyard areas or a single 40-foot by 40-foot trapezoidal pond.

Basin 3: The project applicant shall install 30 hay bale structures along the base of the new vineyard areas or a single 60-foot by 60-foot trapezoidal pond.

Basin 4: The project applicant shall install 20 hay bale structures along the base of the new vineyard areas or a single 22-foot by 45-foot trapezoidal pond.

Basin 5: The project applicant shall install 30 heightened hay bale structures along the base of the new vineyard areas or a single 59-foot by 59-foot trapezoidal pond.

Basin 6: The project applicant shall install a single 41-foot by 41-foot trapezoidal pond.

Pad Support Basin: The project applicant shall install a single 31-foot by 31-foot by 3-foot deep vault within the pad.

The MDP shall be reviewed and approved by the County.

2. **HYD-1b**: The project applicant shall continue to implement and maintain the erosion control BMPs that have been established on the site, and use similar BMPs in areas covered by new vineyards and buildings. In addition, the applicant shall implement the following erosion prevention and sediment control measures:

   - Provide weekly inspections of the erosion control measures during the irrigation season, as well as during and immediately after rain events, to ensure the measures are effective in controlling sedimentation.

   - Establish permanent sediment retention basins that are sized to accommodate sedimentation from the entire vineyard, winery and road area (see Mitigation Measure HYD-1a).

   - Implement an ongoing self-monitoring program of erosion control and groundcover conditions.

3. **HYD-1c**: The applicant shall prevent additional chemical pollutants from entering the waterway by continuing to utilize pesticides in accordance with State regulations. Pesticide use shall be minimized through the preparation and implementation of a chemical use plan (which could be incorporated into an Integrated Pest Management Plan) that shall be reviewed and approved by the County. The applicant shall continue to monitor groundwater and surface water biannually, at the beginning and end of the irrigation season, and shall report the findings, annually, to the County. In addition, samples shall be taken after the first winter storm event.

4. **HYD-1d**: The project applicant shall continue to implement the Fish Friendly Farming Practices currently implemented on the site. The County shall undertake bi-annual inspections to insure that Fish Friendly Farming Practices are being utilized. Bi-annual water samples shall continue to be taken from the current five locations currently being tested by the project applicant. The County shall inspect the water quality samples to ensure that the samples do not contain significant levels of pollutants or fertilizers from the vineyard.

5. **GEO-1**: Implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d.

6. **GEO-2**: A geotechnical investigation, prepared by a licensed professional, shall be prepared for development on the site. The investigation shall be prepared in accordance with the requirements of San Mateo County and shall provide design recommendations for all proposed site improvements,

including structures, roads, hillside cultivated areas, and wastewater treatment facilities. The design recommendations shall be incorporated into final grading, building, and drainage plans, and eventual construction shall be in conformance with standards in the applicable California Building Code.

7. **BIO-1a**: Prior to issuance of Certificates of Occupancy for the winery building permits, the project sponsor shall submit a restoration plan for 5 acres of purple needlegrass grassland within the Protected Habitat Area. The purple needlegrass grassland acreage shall be of high-density, meeting at least 20 percent coverage. Said plan shall include a timetable and adhere to the following:

   - Ensure that transplanting, planting, and seeding includes local, native purple needlegrass at densities that are appropriate for the site and recommended by a qualified biologist. The sources of plugs and seeds shall be from on-site or another local source to maintain the genetic integrity of the on-site population.

   - For the first 5 years of the restoration efforts, provide an annual report to the County, to be prepared by a qualified biologist or botanist, documenting how the restoration is meeting the coverage criteria.

   - Provide funding assurances acceptable to the County that will be sufficient to guarantee successful performance success of the restoration and monitoring.

8. **BIO-1b**: The 2009 focused protocol-level special-status plant surveys conducted by Shaw did not include the proposed purple needlegrass mitigation area, including mapping of the species present within the proposed mitigation area. To avoid potential impacts to existing purple needlegrass, special-status plants, and sensitive plant communities, prior to any ground disturbance or plantings in on-site mitigation area, protocol-level surveys shall be conducted for special-status plants and sensitive communities. Surveys shall be conducted by qualified botanists according to CDFG and CNPS protocols. If found during the surveys, any existing special status plants, purple needlegrass, and other sensitive natural communities in this area shall be thoroughly and accurately mapped using GPS. Locations of special status plants shall be avoided or measures implemented to protect special status species shall be incorporated into the Protected Habitat Area.

   The relative and absolute cover of purple needlegrass shall be estimated and to be considered a sensitive plant community according to the Manual, a stand shall have an absolute cover of purple needlegrass that is greater than 5 percent or a relative cover greater than 10 percent. Any existing stands of purple needlegrass at the mitigation area that are considered a sensitive community shall be preserved and the acreage can be counted toward the acreage required for compensatory mitigation. During the proposed purple

needlegrass planting, these areas of existing purple needlegrass and other sensitive plant communities shall be avoided and shall be clearly delineated with flagging or fencing.

9. **BIO-2**: Development of the vineyard blocks shall be conducted during the dry season (April 15 through October 15) when surface runoff would be minimized. In addition, implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d.

10. **BIO-3a**: Implement Mitigation Measure BIO-7. This shall require rerouting of the access road to avoid the seep and adjacent willow riparian area. The final project plans shall reflect preservation of the seeps. Placing a bridge over the seep would shade out wetland vegetation and would result in a loss of associated wetland functions (cover, sediment filtering, etc.).

11. **BIO-3b**: To facilitate movement of California red-legged frogs through the vineyard area, gaps should be incorporated into the design of proposed hay bales/silt fence dikes. Gaps shall be no more than 100 feet apart and no less than 2 feet wide. The design of the fence shall be approved by a wildlife biologist with demonstrated knowledge of California red-legged frog biology and ecology and shall be approved by the Community Development Director. In addition, no plastic netting shall be allowed for any erosion control matting or fiber roles. All erosion control materials shall use coconut or other natural fiber for netting because amphibians such as the California red-legged frog, and reptiles and birds can be easily tangled in plastic netting.

12. **BIO-3c**: In accordance with the draft PUD attached as Appendix E, the project sponsor shall preserve 80 acres of the 166-acre property located outside of the footprint of the winery and associated vineyard development ("Protected Habitat Area") in its current undeveloped condition as potential habitat.

    Per the requirements of the draft PUD, the following uses and activities shall be prohibited within the Protected Habitat Area:

    - Unseasonable watering; use of fertilizers, pesticides, biocides, herbicides or other agricultural chemicals; weed abatement activities; and incompatible fire protection activities.

    - Use of off-road vehicles and use of any other motorized vehicles except on existing roadways.

    - Agricultural activity of any kind.

- Recreational activities, including, but not limited to, horseback riding, biking, hunting or fishing except for personal, non-commercial, recreational activities of the owner of the affected property and his or her guests.

- Commercial, industrial, residential, or institutional uses.

- Any legal or de facto division, subdivision or partitioning of the Protected Potential Habitat Area except for the purposes of environmental preservation.

- Construction, reconstruction, erecting or placement of any building, billboard or sign

- Depositing or accumulation of soil, trash, ashes, refuse, waste, bio-solids or any other materials.

- Planting, introduction or dispersal of non-native or exotic plant or animal species.

- Filling, dumping, excavating, draining, dredging, mining, drilling, removing or exploring for or extracting minerals, loam, soil, sand, gravel, rock or other material on or below the surface of the Protected Habitat Area, or granting or authorizing surface entry for any of these purposes.

- Altering the surface or general topography of the Protected Habitat Area, including, but not limited to, any alterations to habitat, building roads or trails, paving or otherwise covering the Protected Habitat Area with concrete, asphalt or any other impervious material.

- Removing, destroying, or cutting of trees, shrubs or other vegetation, except as required by law for (i) fire breaks, (ii) maintenance of existing foot trails or roads, or (iii) prevention or treatment of disease.

- Impounding or altering any natural water course, body of water or water circulation on the Protected Habitat Area, and any activities or uses detrimental to water quality, including but not limited to degradation or pollution of any surface or sub-surface waters.

13. **BIO-4**: If vegetation removal or construction activity is scheduled between March 1 and August 31, a qualified biologist shall conduct a nest survey of the areas where vegetation is to be removed within 2 weeks of the scheduled removal. If an active nest is found, a 25- to 50-foot buffer (depending on the nesting species and habitat) shall be established around the nest site and a qualified biologist shall monitor the nest at periodic intervals (no less than 1 week intervals) until the young have fledged or it has been determined that the nest has failed. After the monitoring biologist has determined that the nest

site is inactive, clearing of vegetation and/or other construction activity can commence in the former buffer area. If a raptor species is found nesting within a proposed construction area, a minimum 200- to 300-foot buffer, depending on species, shall be established and maintained around the nest site until the monitoring biologist has determined that the young have fledged or the nest has failed. Buffer areas around nests could be reduced if in consultation with CDFG it is determined that a smaller buffer would not result in adverse impacts to the nesting bird or the nestlings.

14. **BIO-5**: Within 2 weeks of scheduled clearing and/or grading of a given vineyard block, the area and a 250-foot surrounding buffer shall be surveyed by a qualified biologist for active badger dens. If an active American badger den is found, the biologist shall consult with the CDFG to determine if clearing and grading within the vineyard block is likely to adversely affect the den. If the den is occupied by an individual other than a female with young, CDFG shall be contacted to determine if live trapping and relocation is an option. If it is determined that the den is occupied by a female with young, the area within 250 feet of the den may have to be avoided until the young have matured and dispersed from their natal den.

15. **BIO-6**: A pre-construction survey of the wine caves shall be conducted prior to their final closure to determine if bats are roosting in the caves. No eviction of bats shall occur if the roosts are determined to be maternity roosts. If maternity roosts are observed in the caves, then the biologist shall contact CDFG for additional guidance. If bats are present, and the roosts are determined to be day or night roosts, bats shall be excluded before the caves are sealed. A mitigation plan to provide alternate roost sites shall be prepared before excluding the bats if the colonies contain either Townsend's big-eared bats or pallid bats. Exclusion shall be accomplished during the final stages of work on the closure when entrance to the caves is restricted to doors or other openings in the cave façade. Bats shall be excluded by strategically placing netting over open doors or other openings. The netting can be hung over openings so bats can crawl out under the bottom "flap" of the net, but not fly back in. If feasible, the best time to exclude bats would be in the fall (August to October) after maternity colonies have dispersed and before winter roosts have formed.

16. **BIO-7**: The existing jurisdictional features shall be avoided. The final project plans shall reflect preservation of the seeps and total avoidance of Corps jurisdictional areas by project roadway improvements.

17. **BIO-8a**: A minimum 50-foot setback shall be maintained between the edge of the riparian habitat and the nearest maintained vineyard. No planting, roads, or construction disturbance shall be allowed within the setback. Herbaceous cover shall be maintained in the setbacks, but may be mowed at the discretion of the vineyard operator. Setbacks shall be flagged during construction so as to prevent accidental encroachment by construction equipment.

18. **BIO-8b**: Implement Mitigation Measure BIO-7.

19. **BIO-9a**: A minimum 100-foot setback shall be maintained from the edge of regulated waters, as determined using federal and State jurisdictional criteria. No planting, roads, or construction disturbance shall be allowed within the setback, except as specifically authorized in Corps, CDFG, and RWQCB permits. Herbaceous cover shall be maintained in the setbacks, but may be mowed at the discretion of the vineyard operator. Setbacks shall be flagged during construction so as to prevent accidental encroachment by construction equipment.

20. **BIO-9b**: Langley Creek shall be inspected annually for a minimum of 5 years by an accredited fisheries biologist. The biologist shall assess the overall function of Langley Creek as steelhead habitat, and shall monitor changes in habitat quality over time. Specifically, the biologist shall monitor sediment accumulation in steelhead habitat. The biologist shall submit an annual status summary to the County that will include recommendations to the project sponsor to address any perceived habitat degradation attributable to vineyard operation. After 5 years of results indicating no loss of habitat function in Langley Creek, the project sponsor may ask the biologist to submit a report to the County recommending cessation of monitoring.

21. **TRANS-1**: The construction contractor(s) shall develop a construction management plan for review and approval by the County's Public Works Department. The plan shall include at least the following items and requirements to reduce, to the maximum extent feasible, any safety hazards and traffic congestion during construction:

    - A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, signs, and designated construction access routes.

    - Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, and circulation and safety. Impacts to SR 35 shall be minimized to the greatest extent possible.

    - Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project sponsor.

22. **NOISE-1**: The project applicant shall require that construction contractors implement the following measures throughout the duration of construction activity:

- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).

- Impact tools (e.g., jack hammers, pavement breakers, and rock drills), if any, used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10-dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5-dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.

23. **HAZ-1**: The applicant's contractor shall implement construction best management practices (BMPs) for handling, storing, and disposing hazardous materials on-site. The contractor shall be responsible for maintaining a clean work site with good housekeeping practices and be responsible for containment and clean-up of inadvertent chemical releases and those caused by blatant misuse. The requirements for the contractor to employ BMPs shall be included in contract specifications thereby becoming part of the project. The use of standard construction BMPs would minimize potential hazardous material releases, and would include, but are not limited to, the following practices:

    - Follow manufacturer's recommendations and regulatory requirements for use, storage, and disposal of hazardous materials and petroleum products used in construction;

    - Avoid overtopping construction equipment fuel tanks;

    - Properly contain and dispose of grease and oils used for routine maintenance of construction equipment; and,

    - Properly dispose of discarded containers of fuels and other chemicals.

24. **HAZ-2**: The applicant shall implement the following measures to ensure that fuel storage on the site is adequate to prevent release of fuels during vineyard operation:

    - Comply with all applicable State and County regulations pertaining to above ground fuel storage, dispensing, monitoring, spill containment, and reporting.

- Install a modern tank system that includes secondary containment features and leak detection monitoring for the diesel fuel storage tank and place spill containment equipment at the utilities pad.

- If visual and olfactory evidence or monitoring equipment detection indicates leakage or rupture of the diesel tank, the spill shall be reported to the County and the tank shall be repaired or replaced. Spill cleanup shall be performed in accordance with County requirements. All fueling, maintenance of vehicles and other equipment and staging areas shall occur at least 100 feet from riparian areas. To prevent the accidental discharge of fuel or other fluids associated with vehicles and other equipment, all workers shall be trained on procedures to prevent inadvertent spills and of the appropriate measures to take should a spill occur.

25. **HAZ-3**: Implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d.

26. **HAZ-4a**: The applicant and construction contractor shall develop a fire safety plan, which describes various potential scenarios and action plans in the event of a fire. The fire safety plan shall be submitted to the local fire prevention district for review and approval.

27. **HAZ-4b**: During construction, all staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other material that could ignite. Any construction equipment capable of generating a spark shall be equipped with a spark arrestor in good working order. All vehicles and crews working at the project site shall have access to functional fire extinguishers at all times. Motor vehicles shall be permitted only on roadways and parking areas. In addition, construction crews are required to have a spotter during welding activities to identify for potentially dangerous situations, including accidental sparks.

28. **HAZ-4c**: During the design of the building, the architect shall ensure that the exterior construction features (e.g., roofing, siding) meet ignition resistant construction standards set in the new Wildland/Urban Building Code. This would include installation of a Class A roof, installation of fire sprinklers in main buildings, and a fire alarm system in main buildings. The project also shall also incorporate guidance from the County's Decision making Guidelines for Vegetation Management, ensuring that landscape plans minimize wildland fire hazards and provide defensible space around each structure of 100 feet by mowing grass, and removing dead vegetation and other flammable materials from roofs, decks, grounds, propane tanks.

29. **AIR-1**: The following construction practices shall be implemented at the project site during the construction and pre-construction phases of the project:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt deposited on public roads that are adjacent to the project site shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be prohibited.

- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).

- Paving and building pads shall be completed as soon as possible after grading, unless seeding or soil binders are used.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly-visible sign with the telephone number and person to contact at the San Mateo County offices regarding dust complaints. The responsible contact shall respond to warranted complaints and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

- The project sponsor shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in construction activities (i.e., owned, leased, and subcontractor vehicles) would achieve a project-wide, fleet-average, 20 percent NOx reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other methods that become available.

30. **AIR-2**: The following measures shall be implemented during composting operations to control PM10 emissions:

    - Refrain from turning, screening, or loading activities on windy days;

- Use water sprays or mists during grinding, screening, and pile-turning activities;

- Maintain proper moisture levels in active composting piles; and

- Maintain good housekeeping practices, including site cleanliness.

31. **AIR-3**: The project applicant shall regularly turn and mix compost piles to ensure the maintenance of proper aerobic conditions. In addition, the project applicant shall formulate an Odor Impact Minimization Plan in accordance with the State Compostable Materials Handling Operations and Facilities Regulatory Requirements (Title 14 CCR § 17863.4). This plan shall be submitted to the San Mateo County Environmental Health Division for its review and approval.

    As specified in Regulation 17863.4, the Odor Impact Minimization Plan shall provide guidance to on-site operation personnel by containing, at a minimum, the following items:

    a. An odor monitoring protocol which describes the proximity of possible odor receptors and prescribes a method for assessing odor impacts at the locations of possible odor receptors;

    b. A description of meteorological conditions affecting migration of odors and/or transport of odor-causing material off-site. Seasonal variations that affect wind velocity and direction shall also be described;

    c. A complaint response protocol;

    d. A description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including the method and degree of aeration, moisture content of materials, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site-specific concerns; and

    e. A description of operating procedures for minimizing odor, including aeration, moisture management, drainage controls, pad maintenance, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), bio-filtration, and tarping.

    The Odor Impact Minimization Plans shall be reviewed annually by the San Mateo County Environmental Health Division to determine if any revisions are necessary to ensure continued proper management of the compost.

32. **CULT-1**: The project applicant shall inform its contractor(s) of the sensitivity of the project area for archaeological deposits by including the following directive in contract documents:

> *If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. Archaeological resources can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite tool-making debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g., mortars, pestles, hand stones). Prehistoric archaeological sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse.*

The County shall verify that the language has been included in the contract documents before issuing any new building or grading permits. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. It is recommended that adverse effects to such deposits be avoided by project activities. If avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, avoidance of project impacts on the deposit shall be the preferred mitigation. If adverse effects on the deposits cannot be avoided, such effects must be mitigated. Mitigation can include, but is not necessarily limited to: excavation of the deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; preparation of a brochure for public distribution that discusses the significance of the archaeological deposit; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials. The County shall ensure that any mitigation involving excavation of the deposit is implemented prior to the resumption of actions that could adversely affect the deposit.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results of the analysis, and provide recommendations for the treatment of the archaeological deposits discovered. The report shall be submitted to the project applicant, the County, and the Northwest Information Center.

33. **CULT-2**: The project applicant shall inform its contractor(s) of the sensitivity of the project area for paleontological resources by including the following directive in contract documents:

> *The subsurface of the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks.*

The County shall verify that the language has been included in the contract documents before issuing any new grading or building permits.

It is recommended that adverse effects to paleontological resources be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, adverse effects on the resources shall be avoided, or such effects shall be mitigated. Mitigation can include, but is not necessarily limited to: excavation of paleontological resources using standard paleontological field methods and procedures; laboratory and technical analyses of recovered materials; production of a report detailing the methods, findings, and significance of recovered fossils; curation of paleontological materials at an appropriate facility (e.g., the University of California Museum of Paleontology) for future research and/or display; an interpretive display of recovered fossils at a local school, museum, or library; and public lectures at local schools on the findings and significance of the site and recovered fossils.

The County shall ensure that any mitigation involving excavation of the resource is implemented prior to project construction or actions that could adversely affect the resource.

Upon completion of the assessment, the paleontologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the paleontological resources discovered. This report shall be submitted to the project applicant, the County, and the paleontological curation facility.

34. **CULT-3**: If human remains are encountered, these remains shall be treated in accordance with Health and Safety Code §7050.5. The project applicant shall inform its contractor(s) of the sensitivity of the project area for human remains by including the following directive in contract documents:

> *If human remains are encountered during project activities, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.*

The County shall verify that the language has been included in the contract documents before issuing any new grading or building permits.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the project applicant, the County, the MLD, and the Northwest Information Center.

35. **VIS-1**: The following measures shall be incorporated into the project design:

- Exterior lighting shall use fixtures with low-level lighting, focused beams, and directional hoods to minimize light visible from other properties and reduce night sky impacts.

- Non-reflective, permeable surfaces shall be utilized to reduce glare.

36. **GCC 1**: Implement Mitigation Measure AIR.

B. Planning and Building Department

1. This approval applies only to the proposal and plans in this report and submitted to and approved by the Planning Commission on November 10, 2010 and the Board of Supervisors on November 30, 2010. Minor adjustments to the project in the course of applying for building permits may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.

2. The applicant shall enter into a contract with the San Mateo County Planning Department for all mitigation monitoring for this project. The fee shall be staff's cost plus 10% as required in the Planning Service Fee Schedule adopted by the Board of Supervisors Resolutions No. 63452 and No. 64883.

3. All future structures to be built on the project site shall be designed to incorporate permanent stormwater control measures (such as using permeable surfaces for driveways and walkways, and building downspouts connected to drywell systems) in conformance with BAASMA Guidelines. Prior to the issuance of a building permit for any structure on the project site, all plans shall be reviewed by the Planning Department for conformance with this condition.

4. Prior to the issuance of a building permit for new construction on the project site, the applicant shall submit a landscape plan to the Planning Department for review and approval. Said plan shall be prepared by a licensed landscape architect and include irrigation details. Said landscaping plan shall be installed prior to the issuance of a Certificate of Occupancy for the last house resulting from this project.

5. The use of noise making devices for bird/pest control within the vineyards shall be prohibited. Said prohibition shall be incorporated into the final PUD ordinance language.

6. Prior to the issuance of a building permit for the service building/bunkhouse, the applicant shall submit exterior color and material samples and a roofing sample for review and approval by the Community Development Director prior to the issuance of the building permit. The materials for the building shall be the same color on all four sides of the structure. Acceptable colors must be earth tones, which blend with the surrounding vegetation patterns of the site. Reflective surfaces and colors are prohibited. These approved colors and materials shall be verified by the Planning and Building Department prior to a final inspection for the building permit.

7. Section 8 of the proposed PUD shall be modified as follows:

   Prior to the planting of any new vineyard acreage, the applicant shall, at his expense, drill a well to monitor groundwater levels in the area near Tunnel Springs. The location and monitoring protocol for said well shall be established in consultation with the San Mateo County Planning Department and the Environmental Health Services Division of the San Mateo County Health Department. If the monitoring well is to be located on land to be transferred to an owner other than the applicant, then the applicant shall establish an easement that would allow for maintenance of the monitoring well and its equipment. Results of the monitoring shall be transmitted to the San Mateo County Community Development Director on an annual basis. If water levels in the monitoring well drop below a threshold (to be determined as part of the monitoring protocol), then the applicant shall cease pumping of his wells until such time as water levels in the monitoring well return to the threshold level.

Lot Line Adjustment Conditions

8. The applicant shall submit to the Project Planner, (for recordation), legal descriptions of reconfigured parcels. The Project Planner will review these draft descriptions and forward them to Public Works for tentative approval.

9. The applicant shall submit, to the Project Planner, a copy of the unrecorded Grant Deeds (of only the parcel areas to be exchanged) for review and approval prior to transfer of ownership. The Project Planner will review these draft descriptions and forward them to Public Works for tentative approval.

10. Upon approval of the draft legal descriptions and the draft grant deeds by the Project Planner and the Department of Public Works, the applicant shall coordinate with the Project Planner, the recordation of the reconfigured parcel descriptions. The applicant shall then record the appropriate grant deeds transferring the applicable parcel areas per the previously recorded legal descriptions.

Department of Public Works

11. Prior to the issuance of any Building Permits for this project, the applicant shall provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.

12. The applicant shall submit a driveway "Plan and Profile," to the Public Works Department, for the service building/bunkhouse. Said plan shall show the driveway access from the property line to the garage slab. This driveway must comply with County Standards for driveway slopes (not to exceed 20%). The driveway plan shall also include and show specific provisions and details for both existing and proposed drainage patterns and drainage facilities.

13. The provision of San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Unless exempted by the Grading Ordinance, the applicant is required to apply for a grading permit.

14. Erosion and sediment control during the course of this grading work shall be according to a plan prepared and signed by the Engineer of record, and approved by the Department of Public Works and the Planning Department. Revisions to the approved erosion and sediment control plan shall be prepared and signed by the engineer.

15. The applicant shall have a "Grading Plan" for the proposed vineyard access roads, prepared by a registered civil engineer that includes the following:

    a. "All grading shall be according to the plan entitled _____, prepared by _____, signed by _____, dated _____."

    Revisions to the approved grading plan shall be prepared and signed by the Engineer, and shall be submitted to the Department of Public Works and the Planning Department for concurrence "prior" to commencing any work pursuant to the proposed revision.

16. The engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The engineer's responsibilities shall include those relating to non-compliance detailed in Section 8606.5 of the Grading Ordinance.

17. No grading shall commence until a schedule of all grading operations has been submitted to and reviewed and approved by the Department of Public Works and the Planning Department. The submitted schedule shall include a schedule for winterizing the site. If the schedule of grading operations calls for the grading to be completed in one grading season, then the winterizing plan shall be considered a contingent plan to be implemented if work falls behind schedule. The applicant shall submit monthly updates of the schedule to the Department of Public Works and the Planning Department. All submitted schedules shall represent the work in detail and shall project the grading operations through completion.

Environmental Health Conditions

18. At the building permit application stage, the wastewater treatment system will require a waste discharge permit from the State Regional Water Quality Control Board. Said permit must be submitted prior to final on said building permit.

19. At the building permit application stage, the applicant shall obtain an on-site sewage disposal permit and meet all requirements for design criteria and setback requirements.

20. Applicant shall submit health review fee of $174.00.

21. Applicant shall submit a business plan for the diesel tank(s) addressing containment for accidental spills. The diesel tank shall maintain a minimum of 50 feet from any water well.

22. Prior to the building final, the applicant shall obtain an "Employee Housing Permit" for the employee housing units. Subject permit must be renew every year.

CEQA FINDINGS OF FACT

OF THE COUNTY OF SAN MATEO COUNTY BOARD OF SUPERVISORS

For the

CLOS DE LA TECH WINERY PROJECT

November 30, 2010

ATTACHMENT B

1. OVERVIEW AND INTRODUCTION

These Findings are made with respect to the **"Project Approvals"** (as defined below) for the Clos de la Tech Winery Project (the **"Project"** or **"Clos de la Tech Project"**) and state the findings of the Board of Supervisors (the **"Board"**) of the County of San Mateo (the **"County"**) relating to the potentially significant environmental effects of the Project to be developed in accordance with the Project Approvals.

The following Findings and the attached Mitigation Monitoring and Reporting Program (**"MMRP"**) are required by the California Environmental Quality Act (**"CEQA"**), Public Resources Code Sections 21081, 21081.5 and 21081.6, and Title 14, California Code of Regulations (the **"CEQA Guidelines"**) Sections 15091 through 15093, for the Clos de la Tech Project.

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, no public agency shall approve or carry out a project where an Environmental Impact Report (**"EIR"**) has been certified, which identifies one or more significant impacts on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant impacts, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

1. Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant impact on the environment

2. Changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological or other considerations, make infeasible the mitigation measures or project alternatives identified in the EIR.

For those significant impacts that cannot be mitigated to below a level of significance, the public agency is required to find that the specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant impacts on the environment.

As discussed in detail below, the project would not result in any significant unavoidable effects; all significant impacts would be reduced to a less-than-significant level with implementation of the mitigation measures identified in this EIR.

2. PROJECT DESCRIPTION

The Project analyzed in the EIR is fully described in Section II of the September, 2010 Draft EIR for the Clos de la Tech Project. The project applicant, Clos de la Tech Winery, proposes to expand the planted acreage of grapevines within an existing vineyard and to develop a winery on an approximately 165.68-acre parcel located in the

unincorporated area of San Mateo County, northeast of the unincorporated Town of La Honda. The proposed project would increase the number of vines planted on the project site from the current 25.43 acres to a total of approximately 62 acres, extend the existing on-site road to access the additional plantings, and complete construction of a winery for fermenting, storing and bottling wine. Many of the winery's operations would be conducted within three existing excavated "caves." Winemaking equipment, storage areas, laboratory facilities, offices, and living quarters for up to six people are proposed in the existing caves and on the outer faces of the caves as part of the project. In addition, the applicant is proposing to construct a two-story service building, storage shed, and water tanks. The service building would include living quarters and a kitchen to house up to 15 laborers during the seasonal harvest. The project includes a lot line adjustment and a Zoning Text and Zoning Map Amendments to change the project parcel's zoning from Resource Management to Planned Unit Development (PUD).

T. J. Rogers is project applicant and developer for the Clos de la Tech Project. Willard Wyman and T. J. Rogers are the applicants for the Lot Line Adjustment.

3. PROJECT APPROVALS

All of the following actions are referred to collectively as the **"Project Approvals."** The Project Approvals constitute the **"Project"** for purposes of CEQA and CEQA Guidelines Section 15378 and these determinations of the Board:

1. Zoning Text and Map Amendment pursuant to Section 6550 of the County Zoning Regulations, to rezone the subject parcel from RM (Resource Management) to PUD (Planned Unit Development);

2. Lot Line Adjustment, pursuant to Section 7127 of the County Subdivision Ordinance and the State Subdivision Map Act and;

3. Street Name Assignment.

4. PROJECT OBJECTIVES

The project applicant's objectives for the project include:

- To authorize a greater amount of production, bottling, and storage of San Mateo County-grown wine than is permitted under current zoning regulations.

- To construct a new winery facility within the three existing caves at the project site, with a capacity for the fermentation, storage, and bottling of up to 13,000 cases of wine annually, in order to meet consumer demand for San Mateo County-grown wines.

- To operate a self-contained, appropriately scaled combination of vineyards and winery at a single location, adjacent to the winery's vineyards, balancing the potential productive acreage of vineyards on site with the wine production capacity of the existing caves.

- To locate wine-making facilities (fermentation, barreling, bottling and storage) on the vineyard site, to allow more efficient, effective and environmentally sensitive management of facilities and operations, protection of wine quality, and to avoid unnecessary truck traffic and employee vehicle trips.

- To foster innovation in wine-making techniques and technologies capable of distinguishing San Mateo County-grown wines, such as an underground, naturally cooled gravity winery, using multiple elevations and natural siphons to move wine from fermentation tanks to barrels to bottles, without excessive energy consumption and without damaging the wine with pumps or other mechanical equipment.

The applicant and County have the following shared objectives with regard to the project and the implementation of County policies and goals:

- To implement the General Open Space land use classification of the San Mateo County General Plan, which encourages managed production of resources.

- To implement the Rural Land Use Element of the San Mateo County General Plan, which encourages managed production of natural resources meeting social and economic needs, including agricultural production.

- To implement the San Mateo County General Plan Rural Land Use Element policies, which include, among others, encouraging continuation and expansion of existing agricultural and agriculture-related activities, and encouraging agricultural activities on soils with agricultural capability which are not currently in production.

- To protect and utilize productive soil resources for agricultural uses vital to the sustenance and growth of the rural San Mateo County economy.

- To maximize employment opportunities in industries necessary for the diversity and sustainability of the County's overall economy.

- To encourage creative enterprise by allowing ancillary on-site land uses necessary for sustained agricultural resource production operations.

- To implement the Land Conservation Act of 1965, Government Code Sections 51200, et seq., which discourages conversion of agricultural lands to other uses, and encourages preservation of the aesthetic values of agricultural lands.

5. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists at a minimum of the following documents:

- The Notice of Preparation (**"NOP"**) and all other public notices issued by the

County in conjunction with the Project;

- The Clos de la Tech Project Draft EIR (September, 2010) and Response to Comments Document (October, 2010) and all documents cited or referred to therein;

- All comments submitted by agencies or members of the public during the 45-day public comment period in the Draft EIR;

- All comments and correspondence submitted to the County with respect to the Project, in addition to timely comments on the Draft EIR;

- The MMRP for the Project;

- All findings and resolutions adopted by County decision makers in connection with the Project, and all documents cited or referred to therein;

- All reports, studies, memoranda, staff reports, maps, exhibits, illustrations, diagrams or other planning materials relating to the Project prepared by the County or by consultants to the County, the Applicant, or responsible or trustee agencies and submitted to the County, the Applicant, or responsible or trustee agencies and submitted to the County, with respect to the County's compliance with the requirements of CEQA and with respect to the County's actions on the Project;

- All documents submitted to the County by other public agencies or members of the public in connection with the Project, up through the close of the public hearing on November 30, 2010;

- Minutes, as available, of all public meetings and public hearings held by the County in connection with the Project;

- Any documentary or other evidence submitted to the County at such information sessions, public meetings, and public hearings;

- Matters of common knowledge to the County, including, but not limited to those cited above; and

- Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the documents comprising the record of proceedings is the County's Planning & Building Department, whose office is located at 455 County Center, Second Floor, Redwood City, CA 94063.

The Board has relied on all of the documents listed above in reaching its decision on the Clos de la Tech Project.

6. PROCEDURAL HISTORY

The County released an NOP of an EIR for the Project on February 8, 2010.

LSA Associates Inc. prepared a Draft EIR entitled "Clos de la Tech Winery Project Environmental Impact Report" under the direction of the County Planning & Building Department. The Draft EIR consists of two volumes: Volume 1, consisting of Sections I - VI, and Volume 2, consisting of Appendices A through E. The Draft EIR is dated September 7, 2010.

A Notice of Completion and copies of the Draft EIR were delivered to the State Clearinghouse (SCH No. 2002022026) on September 7, 2010, and the Draft EIR was circulated for a duly noticed forty-five day public review period that began on September 7, 2010 and ended on October 22, 2010.

A notice of availability of the Draft EIR was mailed to the list maintained by the Planning & Building Department of persons who had requested notice. The Draft EIR documents were mailed via first class mail to federal, state, and local agencies and persons who had requested a copy.

Copies of the Draft EIR and Response to Comments Document, including appendices, studies, documents and reports referenced therein are available for public review at the Planning & Building Department, 455 County Center, Second Floor, Redwood City, CA 94063. A copy can also be viewed online at the following website: www.co.sanmateo.ca.us.

The County's Planning Commission held a public hearing on October 13, 2010 to receive comments on the Draft EIR.

The Response to Comments Document (which, together with the Draft EIR constitute the Final EIR), was released and distributed to public agencies and other commenters on the Draft EIR, and for public review, on October 29, 2010, more than 10 days in advance of the scheduled date of certification. It consists of a description of changes to the project description, an analysis of potential impacts resulting from changes to the project description, an errata section showing changes and corrections to various sections of the EIR, additional project information, and comments and responses to comments on the DEIR.

The County Planning Commission held a public hearing on November 10, 2010 to consider the Draft and Final EIR and Project Approvals and issue its recommendations concerning the Project to the Board.

The Board held a public hearing on November 30, 2010 to consider the Draft and Final EIR and Project Approvals.

7. FINDINGS OF FACT

A. IMPACTS DECLARED TO BE LESS THAN SIGNIFICANT (NO MITIGATION REQUIRED).

The Board agrees with the characterization of the Final EIR with respect to all impacts identified as "less than significant" or as having "no impact," and finds that those impacts have been described and analyzed accurately and are less than significant or have no impact for the reasons described in the Final EIR. Reference should be made to the Draft EIR and Final EIR for a more complete description of the findings regarding these impacts.

This finding applies to the following impacts:

Land Use Impacts:

- The Project does not divide an established community. (Draft EIR Page 66).
- The Project is consistent with the County General Plan. (Draft EIR Pages 66-67).
- The Project is consistent with County Zoning Regulations (Draft EIR Page 67).
- The Project does not conflict with adjacent land uses (Draft EIR Pages 67-68).
- The Project does not conflict with an Habitat Conservation Plan or NCCP (Draft EIR Page 68).
- The Project does not conflict with the Williamson Act (Draft EIR Page 68).
- The Project Does not directly or indirectly convert important farmland or forest land (Draft EIR Page 68-69).

Hydrology and Water Quality Impacts:

- The Project is will not expose structures to potential flooding or alter the course of a creek or stream (Draft EIR Page 95).
- The Project will not subject occupants to damage associated with inundation by seiche or tsunami (Draft EIR Page 95).
- The Project will require a storm water pollution prevention program, which will ensure minimization of potential water quality impacts associated with construction activities (Draft EIR Pages 95-96).
- The Project will not result in a significant impact to groundwater supplies (Draft EIR Page 96).

Geology, Soils, and Seismicity Impacts:

- Fault Rupture will not adversely impact the Project (Draft EIR Page 125).
- Impacts caused by ground shaking, including liquefaction and landslides, are less than significant (Draft EIR Pages 125-127).
- Expansive soils do not exist at the site, and are not an impact to the Project (Draft EIR Page 127).
- Soil conditions at the Project site are capable of supporting the use of septic tanks (Draft EIR Page 127).

Biological Resources Impacts:

- The Project will not impact wildlife movement corridors (Draft EIR Pages 168-169).
- The Project will not impact special-status plants (Draft EIR Page 169).
- The Project will not conflict with local tree ordinances (Draft EIR Page 169).
- The Project will not conflict with conservation plans (Draft EIR Page 169).

Traffic and Circulation Impacts:

- The Project will not cause significant impacts on the effectiveness of the local and regional transportation system (Draft EIR Page 183-184).
- The Project will not cause significant roadway hazards (Draft EIR Pages 184-185).
- The Project will not generate secondary environmental impacts caused by parking (Draft EIR Page 185).
- The Project will not cause adverse impacts to emergency access (Draft EIR Pages 185-186).
- The Project will not compromise the safety of cyclists or the overall cycling experience (Draft EIR Page 186).

Noise Impacts:

- The Project will not cause significant operational noise impacts (Draft EIR Page 194).
- The Project will not cause significant groundborne vibration or noise impacts (Draft EIR Pages 194-195).
- The Project will not cause elevated levels of aviation noise (Draft EIR Page 195).

Hazards and Hazardous Material Impacts:

- The Project is not located on a site that is listed as a hazardous materials site pursuant to Government Code Section 65962.5 (Draft EIR Page 209).

- The vineyard's Hazardous Materials Business Plan and chemical inventory would be updated and submitted to the County in accordance with federal, state, and local regulations. Compliance with these requirements would reduce the potential impacts from hazardous materials to less than significant levels. Submittal of the plan will ensure that the types of materials used on site and their storage locations would be available to emergency responders (Draft EIR Page 209).

- The Project will not generate hazardous emissions and there are no schools located within one quarter mile of the Project site. There would be no impact of the Project on schools with regard to hazardous materials transport, storage, or use (Draft EIR Page 209).

- The project is not located within an area covered by an airport land use plan or within two miles of an airport or airstrip. There would be no hazards created by the Project with regard to airport operations (Draft EIR Page 209).

- The Project will not impair implementation or physically interfere with an adopted emergency response or evacuation plan (Draft EIR Page 209).

Air Quality Impacts:

- The Project's traffic will not cause significant impacts to air quality (Draft EIR Pages 225-226).

- The Project's wine production will not cause significant impacts to air quality (Draft EIR Page 226).

- The Project's backup diesel generator will not cause significant impacts to air quality (Draft EIR Pages 226-227).

- The Project's fuel storage tanks will not cause significant impacts to air quality (Draft EIR Page 227).

- The Project's use of pesticides, herbicides, and fertilizers will not cause significant impacts to air quality (Draft EIR Pages 227-228).

- The Project will not cause odors associated with the septic system (Draft EIR Page 228).

- The Project's planting and harvesting will not cause significant impacts to air quality (Draft EIR Page 228).

Public Services and Utilities Impacts:

- The Project will not cause significant impacts to fire protection and emergency medical services (Draft EIR Page 242).
- The Project will not cause significant impacts to emergency access (Draft EIR Page 243).
- The Project will not cause significant impacts to police protection (Draft EIR Page 243).
- The Project will not cause significant impacts to schools, parks, recreation, and other public facilities (Draft EIR Page 243).
- The Project will not cause significant impacts to water (Draft EIR Pages 243-244).
- The Project will not cause significant impacts to sanitary sewer systems (Draft EIR Page 244).
- The Project will not cause significant impacts to solid waste systems (Draft EIR Pages 244-245).
- The Project will not cause significant impacts to energy supplys (Draft EIR Page 245).

Cultural Resources Impacts:

- The project site contains no known archeological resources, historic structures, paleontological resources, human remains, or unique geological features. Therefore, it is not expected that the Project would adversely affect an identified cultural resource. (Draft EIR Page 250.)

Visual Resources Impacts:

- The Project will not cause significant impacts to scenic views and corridors (Draft EIR Pages 265-266).
- The Project will not cause significant impacts to the scenic character of the project site (Draft EIR Pages 266-267).
- The Project is consistent with General Plan policies that seek to protect visual resources in the County (Draft EIR Page 267).

Global Climate Change Impacts:

- The Project will not cause significant impacts by operational GHG emissions (Draft EIR Pages 279-283).

- The Project is consistent with plans and policies related to greenhouse gases (Pages Draft EIR 283-284).

Cumulative Impacts:

- The Project will not result in cumulative impacts due to cumulative development in the area. (Draft EIR Pages 288 – 292.)

B. IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION MEASURES ("MM").

The Final EIR identifies the following significant environmental impacts associated with the Project and Mitigation Measures adopted to reduce these significant impacts to a less than significant level.

(a) MMRP. The MMRP will apply to all Mitigation Measures adopted with respect to the Project pursuant to all of the Project Approvals and will be implemented.

(b) Project Approvals Incorporate the Mitigation Measures and the MMRP. The Mitigation Measures and MMRP have been incorporated into the Project Approvals and have thus become part of and limitations upon the entitlement conferred by the Project Approvals and are enforceable by the County.

(c) Impacts Summarized. The descriptions of the impacts in these findings are summary statements. Mitigation Measures are numbered to correspond to listings in the Draft EIR and Final EIR. Reference should be made to the Draft EIR and Final EIR for a more complete description.

Impact HYD-1: The Project will generate increased runoff (including polluted runoff), which could adversely affect downstream waters.

Mitigation Measure(s):

Mitigation Measure HYD-1a: Prior to issuance of site-specific permits, the project sponsor shall prepare a Master Drainage Plan that shall comply with all applicable hydromodification requirements, including those of the Regional Water Quality Control Board and San Mateo County. The Master Drainage Plan (MDP) shall be based on: 1) Shaw Environmental, Inc., Summary of Technical Findings, Clos de la Tech Vineyard and Winery Development Project, San Mateo County, California. July 2010; 2) Northwest Hydraulic Consultants, Review Comments for June – July Version of Shaw Report. August 2010; 3) a site-specific geotechnical report prepared for the site; and 3) final plans for all grading, roadways, buildings, and other structures proposed for the project site.

The MDP shall be: prepared by a licensed engineer; require that all significant construction work occur during non-rainy seasons; and require a variety of appropriate stormwater control measures, including:

- use of hay bales, jute netting, silt fencing;
- reseeding of disturbed soils and use of straw mulch cover;
- construction of engineered retention basins and vaults;
- retention of plant cover before and after planting as feasible between vine rows;
- use of filter strips; and
- monitoring of soil conditions to reduce unnecessary irrigation.

Further, the MDP shall, at a minimum, require the following features for each stormwater basin on the project site. These features shall be built and/or installed prior to the issuance of the first building permit or a habitable structure, or the planting of additional vineyards (whichever comes first). The MDP shall demonstrate that such structures prevent significant stormwater flow based on the BAHM analysis contained in the Shaw report.

Basin 1: The project applicant shall install 25 hay bale structures along the base of the new vineyard area or a single trapezoid-shaped pond measuring approximately 77 feet by 77 feet.

Basin 2: The project applicant shall install 20 hay bale structures along the base of the new vineyard areas or a single 40-foot by 40-foot trapezoidal pond.

Basin 3: The project applicant shall install 30 hay bale structures along the base of the new vineyard areas or a single 60-foot by 60-foot trapezoidal pond.

Basin 4: The project applicant shall install 20 hay bale structures along the base of the new vineyard areas or a single 22-foot by 45-foot trapezoidal pond.

Basin 5: The project applicant shall install 30 heightened hay bale structures along the base of the new vineyard areas or a single 59-foot by 59-foot trapezoidal pond.

Basin 6: The project applicant shall install a single 41-foot by 41-foot trapezoidal pond.

Pad Support Basin: The project applicant shall install a single 31-foot by 31-foot by 3-foot deep vault within the pad.

The MDP shall be reviewed and approved by the County.

Mitigation Measure HYD-1b: The project applicant shall continue to implement and maintain the erosion control BMPs that have been established on the site, and use similar BMPs in areas covered by new vineyards and buildings. In addition, the applicant shall implement the following erosion prevention and sediment control measures:

- Provide weekly inspections of the erosion control measures during the irrigation season, as well as during and immediately after rain events, to ensure the measures are effective in controlling sedimentation.
- Establish permanent sediment retention basins that are sized to accommodate

sedimentation from the entire vineyard, winery and road area (see Mitigation Measure HYD-1a).

- Implement an on-going self-monitoring program of erosion control and groundcover conditions.

Mitigation Measure HYD-1c: The applicant shall prevent additional chemical pollutants from entering the waterway by continuing to utilize pesticides in accordance with State regulations. Pesticide use shall be minimized through the preparation and implementation of a chemical use plan (which could be incorporated into an Integrated Pest Management Plan) that shall be reviewed and approved by the County. The applicant shall continue to monitor groundwater and surface water biannually, at the beginning and end of the irrigation season, and shall report the findings, annually, to the County. In addition, samples shall be taken after the first winter storm event.

Mitigation Measure HYD-1d: The project applicant shall continue to implement the Fish Friendly Farming Practices currently implemented on the site. The County shall undertake bi-annual inspections to insure that Fish Friendly Farming Practices are being utilized. Bi-annual water samples shall continue to be taken from the current five locations currently being tested by the project applicant. The County shall inspect the water quality samples to ensure that the samples do not contain significant levels of pollutants or fertilizers from the vineyard.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: With the implementation of Mitigation Measures HYD-1a, HYD-1b, HYD1c, and HYD 1d, the project's potential to reduce water quality due to sedimentation, chemical pollutants, and changes in temperature would be reduced to a less than significant level.

Impact GEO-1: The Project could result in substantial soil erosion or the loss of topsoil.

Mitigation Measure(s):

Mitigation Measure GEO-1: Implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measures HYD-1a, HYD-1b, HYD1c, and HYD 1d will reduce the project's potential to result in sedimentation, chemical pollutants, and changes in temperature, and thus the project's potential to result in substantial soil erosion or the loss of top soil would also be reduced to a less than significant level.

Impact GEO-2: The Project could result in slope instability, debris flow, and landslides.

Mitigation Measure(s):

Mitigation Measure GEO-2: A geotechnical investigation, prepared by a licensed professional, shall be prepared for development on the site. The investigation shall be prepared in accordance with the requirements of San Mateo County and shall provide design recommendations for all proposed site improvements, including structures, roads, hillside cultivated areas, and wastewater treatment facilities. The design recommendations shall be incorporated into final grading, building, and drainage plans, and eventual construction shall be in conformance with standards in the applicable California Building Code.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure GEO-2 will reduce impacts related to slope instability to a less than significant level by ensuring that the Project's final design complies with building requirements of the County and applicable California Building Code provisions.

Impact BIO-1: Clearing and construction in the proposed vineyard areas would result in the loss of 1.4 acres of high density and 12.8 acres of low density Purple Needlegrass Grassland, a sensitive plant community.

Mitigation Measure(s):

Mitigation Measure BIO-1a: In accordance with the draft PUD attached as Appendix E, the project sponsor shall restore 5 acres of purple needlegrass grassland within the Protected Habitat Area. The purple needlegrass grassland acreage shall be of high-density, meeting at least 20 percent coverage.

Per the requirements of the draft PUD, the project sponsor shall:

- Ensure that transplanting, planting, and seeding includes local, native purple needlegrass at densities that are appropriate for the site and recommended by a qualified biologist. The sources of plugs and seeds shall be from on-site or another

local source to maintain the genetic integrity of the on-site population.

- For the first 5 years of the restoration efforts, provide an annual report to the County, to be prepared by a qualified biologist or botanist, documenting how the restoration is meeting the coverage criteria.
- Provide funding assurances acceptable to the County that will be sufficient to guarantee successful performance success of the restoration and monitoring.

Mitigation Measure BIO-1b: The 2009 focused protocol-level special-status plant surveys conducted by Shaw did not include the proposed purple needlegrass mitigation area, including mapping of the species present within the proposed mitigation area. To avoid potential impacts to existing purple needlegrass, special-status plants, and sensitive plant communities, prior to any ground disturbance or plantings in onsite mitigation area, protocol-level surveys shall be conducted for special-status plants and sensitive communities. Surveys shall be conducted by qualified botanists according to CDFG and CNPS protocols. If found during the surveys, any existing special-status plants, purple needlegrass, and other sensitive natural communities in this area shall be thoroughly and accurately mapped using GPS. Locations of special status plants shall be avoided or measures implemented to protect special status species shall be incorporated into the Protected Habitat Area.

The relative and absolute cover of purple needlegrass shall be estimated and to be considered a sensitive plant community according to the *Manual,* a stand shall have an absolute cover of purple needlegrass that is greater than 5 percent or a relative cover greater than 10 percent. Any existing stands of purple needlegrass at the mitigation area that are considered a sensitive community shall be preserved and the acreage can be counted toward the acreage required for compensatory mitigation. During the proposed purple needlegrass planting, these areas of existing purple needlegrass and other sensitive plant communities shall be avoided and shall be clearly delineated with flagging or fencing.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measures BIO-1a and BIO 1b will reduce potential impacts to purple needlegrass grassland to a less than significant level by restoring purple needlegrass grassland and avoiding further disturbance of such grassland.

Impact BIO-2: Development of vineyard blocks could result in impacts to aquatic habitat in Langley Creek and downstream areas supporting steelhead/rainbow trout through increased erosion and sedimentation.

Mitigation Measure(s):

Mitigation Measure BIO-2: Development of the vineyard blocks shall be conducted during the dry season (April 15 through October 15) when surface runoff would be minimized. In addition, implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure BIO-2 will reduce the potential impacts to aquatic habitat to a less than significant level by ensuring that development of the vineyard occurs at a time when surface runoff is at its lowest and by requiring the implementation of mitigation measures whose purpose is to reduce runoff at all times of the year.

Impact BIO-3: Grading of roads, construction, planting and vineyard operation and maintenance may cause impacts to the California red-legged frog/

Mitigation Measure(s):

Mitigation Measure BIO-3a: Implement Mitigation Measure BIO-7. This shall require rerouting of the access road to avoid the seep and adjacent willow riparian area. The final project plans shall reflect preservation of the seeps. Placing a bridge over the seep would shade out wetland vegetation and would result in a loss of associated wetland functions (cover, sediment filtering, etc.).

Mitigation Measure BIO-3b: To facilitate movement of California red-legged frogs through the vineyard area, gaps should be incorporated into the design of proposed hay bales/silt fence dikes. Gaps shall be no more than 100 feet apart and no less than 2-feet wide. The design of the fence shall be approved by a wildlife biologist with demonstrated knowledge of California red-legged frog biology and ecology and shall be approved by the Director of the Planning and Building Department. In addition, no plastic netting shall be allowed for any erosion control matting or fiber roles. All erosion control materials shall use coconut or other natural fiber for netting because amphibians such as the California red-legged frog, and reptiles and birds can be easily tangled in plastic netting.

Mitigation Measure BIO-3c: In accordance with the draft PUD attached as Appendix E, the project sponsor shall preserve 80 acres of the 166-acre property located outside of the footprint of the winery and associated vineyard development ("Protected Habitat Area") in its current undeveloped condition as potential habitat.

Per the requirements of the draft PUD, the following uses and activities shall be prohibited wit the Protected Habitat Area:

- Unseasonable watering; use of fertilizers, pesticides, biocides, herbicides or other agricultural chemicals; weed abatement activities; and incompatible fire protection activities.

- Use of off-road vehicles and use of any other motorized vehicles except on existing roadways.

- Agricultural activity of any kind.

- Recreational activities, including, but not limited to, horseback riding, biking, hunting or fishing except for personal, non-commercial, recreational activities of the owner of the affected property and his or her guests.

- Commercial, industrial, residential, or institutional uses.

- Any legal or de facto division, subdivision or partitioning of the Protected Potential Habitat Area except for the purposes of environmental preservation.

- Construction, reconstruction, erecting or placement of any building, billboard or sign.

- Depositing or accumulation of soil, trash, ashes, refuse, waste, bio-solids or any other materials.

- Planting, introduction or dispersal of non-native or exotic plant or animal species.

- Filling, dumping, excavating, draining, dredging, mining, drilling, removing or exploring for or extracting minerals, loam, soil, sand, gravel, rock or other material on or below the surface of the Protected Potential Habitat Area, or granting or authorizing surface entry for any of these purposes.

- Altering the surface or general topography of the Protected Habitat Area, including, but not limited to, any alterations to habitat, building roads or trails, paving or otherwise covering the Protected Potential Habitat Area with concrete, asphalt or any other impervious material.

- Removing, destroying, or cutting of trees, shrubs or other vegetation, except as required by law for (i) fire breaks, (ii) maintenance of existing foot trails or roads, or (iii) prevention or treatment of disease.

Impounding or altering any natural water course, body of water or water circulation on the Protected Habitat Area, and any activities or uses detrimental to water quality, including but not limited to degradation or pollution of any surface or sub-surface

waters.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measures BIO-3a, BIO-3b, and BIO-3c will reduce potential impacts to California red-legged frog to a less than significant level by requiring the avoidance of wetland areas, ensuring that gaps are level in hay bales and silt fence dikes to allow for California red-legged frog movement, and by preserving 80 acres of protected habitat area on the Project site.

Impact BIO-4: Clearing vegetation or construction activity for the proposed vineyards would result in impacts to nesting birds protected under the federal migratory bird treaty act and the California Fish and Game Code.

Mitigation Measure(s):

Mitigation Measure BIO-4: If vegetation removal or construction activity is scheduled between March 1 and August 31, a qualified biologist shall conduct a nest survey of the areas where vegetation is to be removed within 2 weeks of the scheduled removal. If an active nest is found, a 25- to 50-foot buffer (depending on the nesting species and habitat) shall be established around the nest site and a qualified biologist shall monitor the nest at periodic intervals (no less than 1 week intervals) until the young have fledged or it has been determined that the nest has failed. After the monitoring biologist has determined that the nest site is inactive, clearing of vegetation and/or other construction activity can commence in the former buffer area. If a raptor species is found nesting within a proposed construction area, a minimum 200- to 300-foot buffer, depending on species, shall be established and maintained around the nest site until the monitoring biologist has determined that the young have fledged or the nest has failed. Buffer areas around nests could be reduced if in consultation with CDFG it is determined that a smaller buffer would not result in adverse impacts to the nesting bird or the nestlings.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure BIO-4 will reduce potential impacts to nesting birds to a less than significant level by monitoring for nests and avoiding nests during construction.

Impact BIO-5: Clearing of vegetation and grading for vineyard block could adversely affect active American badger dens.

Mitigation Measure(s):

Mitigation Measure BIO-5: Within 2 weeks of scheduled clearing and/or grading of a given vineyard block, the area and a 250-foot surrounding buffer shall be surveyed by a qualified biologist for active badger dens. If an active American badger den is found, the biologist shall consult with the CDFG to determine if clearing and grading within the vineyard block is likely to adversely affect the den. If the den is occupied by an individual other than a female with young, CDFG shall be contacted to determine if live trapping and relocation is an option. If it is determined that the den is occupied by a female with young, the area within 250 feet of the den may have to be avoided until the young have matured and dispersed from their natal den.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure BIO-5 will reduce potential impacts to badger dens to a less than significant level by avoiding any occupied dens until young have matured and dispersed from their natal den.

Impact BIO-6: Construction activities in the wine caves could adversely affect roosting Townsend's big-eared bats and other bats.

Mitigation Measure(s):

Mitigation Measure BIO-6: A pre-construction survey of the wine caves shall be conducted prior to their final closure to determine if bats are roosting in the caves. No eviction of bats shall occur if the roosts are determined to be maternity roosts. If maternity roosts are observed in the caves, then the biologist shall contact CDFG for additional guidance. If bats are present, and the roosts are determined to be day or night roosts, bats shall be excluded before the caves are sealed. A mitigation plan to provide alternate roost sites shall be prepared before excluding the bats if the colonies contain either Townsend's big-eared bats or pallid bats. Exclusion shall be accomplished during the final stages of work on the closure when entrance to the caves is restricted to doors or other openings in the cave façade. Bats shall be excluded by strategically placing netting over open doors or other openings. The netting can be hung over openings so bats can crawl out under the bottom "flap" of the net, but not fly back in. If feasible, the best time to exclude bats would be in the fall (August to October) after maternity colonies have dispersed and before winter roosts have formed.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure BIO-6 will reduce potential impacts to bat to a less than significant level by providing for the exclusion of bats from the Project's caves, as well as for the provision of alternate roost sites.

Impact BIO-7: The project, with the roadway improvements currently proposed, could result in fill of approximately 0.03 acres of jurisdictional waters of the United States, waters of the State, and stream areas subject to CDFG jurisdiction.

Mitigation Measure(s):

Mitigation Measure BIO-7: The existing jurisdictional features shall be avoided. The final project plans shall reflect preservation of the seeps and total avoidance of Corps jurisdictional areas by project roadway improvements.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure BIO-7 will reduce these impacts to jurisdictional water to a less than significant level by requiring that they be avoided.

Impact BIO-8: Road construction and vineyard planting could result in indirect disturbance to riparian areas subject to CDFG regulation pursuant to Section 1600 et seq. of the Fish and Game Code. Post-construction runoff from roads and vineyards may convey sediments, fertilizers, pesticides, or other harmful pollutants into down slope riparian areas.

Mitigation Measure(s):

Mitigation Measure BIO-8a: A minimum 50-foot setback shall be maintained between the edge of the riparian habitat and the nearest maintained vineyard. No planting, roads, or construction disturbance shall be allowed within the setback. Herbaceous cover shall be maintained in the setbacks, but may be mowed at the discretion of the vineyard operator. Setbacks shall be flagged during construction so as to prevent accidental encroachment by construction equipment.

Mitigation Measure BIO-8b: Implement Mitigation Measure BIO-7.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measures BIO-8a and BIO-8b will reduce impacts to riparian area to a less than significant level by requiring that they be avoided.

Impact BIO-9: Road and vineyard construction could result in indirect disturbance to wetlands and watercourses subject to federal and State jurisdiction. Post-construction runoff from roads and vineyards could convey sediments, fertilizers, pesticides, or other harmful pollutants into downslope wetlands and watercourses.

Mitigation Measure(s):

Mitigation Measure BIO-9a: A minimum 100-foot setback shall be maintained from the edge of regulated waters, as determined using federal and State jurisdictional criteria. No planting, roads, or construction disturbance shall be allowed within the setback, except as specifically authorized in Corps, CDFG, and RWQCB permits. Herbaceous cover shall be maintained in the setbacks, but may be mowed at the discretion of the vineyard operator. Setbacks shall be flagged during construction so as to prevent accidental encroachment by construction equipment.

Mitigation Measure BIO-9b: Langley Creek shall be inspected annually for 5 years by an accredited fisheries biologist. The biologist shall assess the overall function of Langley Creek as steelhead habitat, and shall monitor changes in habitat quality over time. Specifically, the biologist shall monitor sediment accumulation in steelhead habitat. The biologist shall submit an annual status summary to the County that will include recommendations to the project sponsor to address any perceived habitat degradation attributable to vineyard operation. After 5 years of results indicating no loss of habitat function in Langley Creek, the project sponsor may ask the biologist to submit a report to the County recommending cessation of monitoring.

Implementation:. These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measures BIO-9a and BIO-9b will reduce impacts to wetlands to a less than significant level by requiring that they be avoided and by requiring monitoring of Langley Creek.

Impact TRANS-1: Project construction would result in temporary increases in truck traffic and construction worker traffic.

Mitigation Measure(s):

Mitigation Measure TRANS-1: The construction contractor(s) shall develop a construction management plan for review and approval by the County's Public Works Department. The plan shall include at least the following items and requirements to reduce, to the maximum extent feasible, any safety hazards and traffic congestion during construction:

- A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, signs, and designated construction access routes.

- Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, and circulation and safety. Impacts to SR 35 shall be minimized to the greatest extent possible.

- Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.

Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project sponsor.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure TRANS-1 will reduce impacts related to temporary increases in truck traffic to a less than significant level by coordinating such traffic through a construction management plan.

Impact NOISE-1: Project construction activities would intermittently and temporarily generate noise levels above existing ambient levels.

Mitigation Measure(s):

Mitigation Measure NOISE-1: The project applicant shall require that construction contractors implement the following measures throughout the duration of construction activity.

- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).

- Impact tools (e.g., jack hammers, pavement breakers, and rock drills), if any, used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure NOISE-1 will reduce temporary impacts related to construction noise to a less than significant level by ensuring that best available noise controlling technologies are used and by requiring that impact tools be jacketed.

Impact HAZ-1: Hazardous materials used on site during construction activities could be released to the environment through improper handling or storage.

Mitigation Measure(s):

Mitigation Measure HAZ-1: The applicant's contractor shall implement construction best management practices (BMPs) for handling, storing, and disposing hazardous materials on site. The contractor shall be responsible for maintaining a clean work site with good housekeeping practices and be responsible for containment and clean-up of inadvertent chemical releases and those caused by blatant misuse. The requirements for the contractor to employ BMPs shall be included in contract specifications thereby becoming part of the project. The use of standard construction BMPs would minimize potential hazardous material releases, and would include, but are not limited to, the following practices:

- Follow manufacturers' recommendations and regulatory requirements for use, storage, and disposal of hazardous materials and petroleum products used in construction;

- Avoid overtopping construction equipment fuel tanks;

- Properly contain and dispose of grease and oils used for routine maintenance of

construction equipment; and,

- Properly dispose of discarded containers of fuels and other chemicals.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure HAZ-1 will reduce impacts related to the release of hazardous materials to less than significant level by requiring that the Project follow best management practice related to the use and disposal of hazardous materials during construction.

Impact HAZ-2: Operation of the proposed vineyard and winery could degrade water quality, soil and sediments.

Mitigation Measure(s):

Mitigation Measure HAZ-2: The applicant shall implement the following measures to ensure that fuel storage on the site is adequate to prevent release of fuels during vineyard operation:

- Comply with all applicable State and County regulations pertaining to above ground fuel storage, dispensing, monitoring, spill containment, and reporting.

- Install a modern tank system that includes secondary containment features and leak detection monitoring for the diesel fuel storage tank and place spill containment equipment at the utilities pad.

- If visual and olfactory evidence or monitoring equipment detection indicates leakage or rupture of the diesel tank, the spill shall be reported to the County and the tank shall be repaired or replaced. Spill cleanup shall be performed in accordance with County requirements.

- All fueling, maintenance of vehicles and other equipment and staging areas shall occur at least 100 feet from riparian areas. To prevent the accidental discharge of fuel or other fluids associated with vehicles and other equipment, all workers shall be trained on procedures to prevent inadvertent spills and of the appropriate measures to take should a spill occur.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure HAZ-2 will reduce impacts related to the degradation of water quality, soil and sediments during operation related to the use of fuels to less than significant level by requiring the project to comply with and implement state and county regulation and practices to ensure the safe treatment and use of fuels during vineyard operation.

Impact HAZ-3: The use of pesticides and herbicides for disease prevention could increase the potential for impacts to human health and the environment.

Mitigation Measure(s):

Mitigation Measure HAZ-3: Implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure HAZ-3 will reduce impacts related to the use of pesticides and herbicides to a less than significant level by requiring the implementation of mitigation measures to avoid the reduction in water quality due to sedimentation, chemical pollutants, and changes in temperature.

Impact HAZ-4: Construction activities in grassland areas would have the potential to expose people or structures to risk of loss, injury, or death involving wildland fires.

Mitigation Measure(s):

Mitigation Measure HAZ-4a: The applicant and construction contractor shall develop a fire safety plan, which describes various potential scenarios and action plans in the event of a fire. The fire safety plan shall be submitted to the local fire prevention district for review and approval.

Mitigation Measure HAZ-4b: During construction, all staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other material that could ignite. Any construction equipment capable of generating a spark shall be equipped with a spark arrestor in good working order. All vehicles and crews working at the project site shall have access to functional fire extinguishers at all times. Motor vehicles shall be permitted only on roadways and parking areas. In addition, construction crews are required to have a spotter during

welding activities to identify for potentially dangerous situations, including accidental sparks.

Mitigation Measure HAZ-4c: During the design of the building, the architect shall ensure that the exterior construction features (e.g. roofing, siding) meet ignition resistant construction standards set in the new Wildland/Urban Building Code. This would include installation of a Class A roof, installation of fire sprinklers in main buildings, and a fire alarm system in main buildings. The project also shall also incorporate guidance from the County's Decision-making Guidelines for Vegetation Management, ensuring that landscape plans minimize wildland fire hazards and provide defensible space around each structure of 100 feet by mowing grass, and removing dead vegetation and other flammable materials from roofs, decks, grounds, propane tanks.

Implementation: These Mitigation Measures will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure HAZ-4a, HAZ-4b, and HAZ-4c will reduce these impacts relating to wildland fires to a less than significant level by requiring the implementation of a fire safety plan, careful handling of spark-inducing equipment, and compliance with the Wildland/Urban Building Code.

Impact AIR-1: Activities associated with site preparation and construction would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions.

Mitigation Measure(s):

Mitigation Measure AIR-1: The following construction practices shall be implemented at the project site during the construction and pre-construction phases of the project:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt deposited on public roads that are adjacent to the project site shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be prohibited.

- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).

- Paving and building pads shall be completed as soon as possible after grading, unless seeding or soil binders are used.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly-visible sign with the telephone number and person to contact at the San Mateo County offices regarding dust complaints. The responsible contact shall respond to warranted complaints and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

The project sponsor shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in construction activities (i.e., owned, leased, and subcontractor vehicles) would achieve a project-wide, fleet-average, 20 percent NOx reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other methods that become available.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure AIR-1 will reduce impacts related to short term emissions of criteria pollutants to a less than significant level by requiring the implementation of construction measures that will decrease dust generation on the Project site.

Impact AIR-2: Composting operations could result in emissions of particulate matter.

Mitigation Measure(s):

Mitigation Measure AIR-2: The following measures shall be implemented during composting operations to control PM_{10} emissions:

- Refrain from turning, screening, or loading activities on windy days;
- Use water sprays or mists during grinding, screening, and pile-turning activities;
- Maintain proper moisture levels in active composting piles; and
- Maintain good housekeeping practices, including site cleanliness.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure AIR-2 will reduce impacts related to composting to less than significant level by requiring maintenance of compost in a manner to avoid generation of dust.

Impact AIR-3: Composting operations could result in emissions of objectionable odors affecting a substantial number of people.

Mitigation Measure(s):

Mitigation Measure AIR-3: The project applicant shall regularly turn and mix compost piles to ensure the maintenance of proper aerobic conditions. In addition, the project applicant shall formulate an Odor Impact Minimization Plan in accordance with the State Compostable Materials Handling Operations and Facilities Regulatory Requirements (Title 14 CCR § 17863.4). This plan shall be submitted to the San Mateo County Environmental Health Division for its review and approval.

As specified in Regulation 17863.4, the Odor Impact Minimization Plan shall provide guidance to on-site operation personnel by containing, at a minimum, the following items:

1) An odor monitoring protocol which describes the proximity of possible odor receptors and prescribes a method for assessing odor impacts at the locations of possible odor receptors;
2) A description of meteorological conditions affecting migration of odors and/or transport of odor-causing material off-site. Seasonal variations that affect wind velocity and direction shall also be described;
3) A complaint response protocol;
4) A description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including the method and degree of aeration,

moisture content of materials, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site-specific concerns; and

5) A description of operating procedures for minimizing odor, including aeration, moisture management, drainage controls, pad maintenance, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), biofiltration, and tarping.

The Odor Impact Minimization Plans shall be reviewed annually by the San Mateo County Environmental Health Division to determine if any revisions are necessary to ensure continued proper management of the compost.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure AIR-3 will reduce impacts related to odor to less than significant level by requiring the implementation of a Odor Minimization Plan in compliance with the State Compostable Materials Handling Operations and Facilities Regulatory Requirements.

Impact CULT-1: Project construction activities could adversely affect previously unidentified historical resources, including unique archaeological resources.

Mitigation Measure(s):

Mitigation Measure CULT-1: The project applicant shall inform its contractor(s) of the sensitivity of the project area for archaeological deposits by including the following directive in contract documents:

If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. Archaeological resources can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g., mortars, pestles, handstones). Prehistoric archaeological sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains;

debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse.

The County shall verify that the language has been included in the contract documents before issuing any new building or grading permits.

Project personnel shall not collect or move any archaeological materials or human remains and associated materials. It is recommended that adverse effects to such deposits be avoided by project activities. If avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, avoidance of project impacts on the deposit shall be the preferred mitigation. If adverse effects on the deposits cannot be avoided, such effects must be mitigated. Mitigation can include, but is not necessarily limited to: excavation of the deposit in accordance with a data recovery plan (see *CEQA Guidelines* Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; preparation of a brochure for public distribution that discusses the significance of the archaeological deposit; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials. The County shall ensure that any mitigation involving excavation of the deposit is implemented prior to the resumption of actions that could adversely affect the deposit.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results of the analysis, and provide recommendations for the treatment of the archaeological deposits discovered. The report shall be submitted to the project applicant, the County, and the Northwest Information Center.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure CULT-1 will reduce impacts related to unidentified historical resources, including unique archaeological resources to less than significant level by requiring education of worker on the Project site and by requiring the avoidance and/or limited excavation and data recovery from any heretofore historical resources, or unique archaeological resources.

Impact CULT-2: The proposed project could adversely affect previously unidentified paleontological resources.

Mitigation Measures(s):

Mitigation Measure CULT-2: The project applicant shall inform its contractor(s) of the sensitivity of the project area for paleontological resources by including the following directive in contract documents:

The subsurface of the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks.

The County shall verify that the language has been included in the contract documents before issuing any new grading or building permits.

It is recommended that adverse effects to paleontological resources be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, adverse effects on the resources shall be avoided, or such effects shall be mitigated. Mitigation can include, but is not necessarily limited to: excavation of paleontological resources using standard paleontological field methods and procedures; laboratory and technical analyses of recovered materials; production of a report detailing the methods, findings, and significance of recovered fossils; curation of paleontological materials at an appropriate facility (e.g., the University of California Museum of Paleontology) for future research and/or display; an interpretive display of recovered fossils at a local school, museum, or library; and public lectures at local schools on the findings and significance of the site and recovered fossils. The County shall ensure that any mitigation involving excavation of the resource is implemented prior to project construction or actions that could adversely affect the resource.

Upon completion of the assessment, the paleontologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the paleontological resources discovered. This report shall be submitted to the project applicant, the County, and the paleontological curation facility.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the

Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure CULT-2 will reduce impacts related to any heretofore unidentified paleontological resources to less than significant level by to less than significant level by requiring education of worker on the Project site and by requiring the avoidance and/or limited excavation and data recovery from any heretofore unidentified paleontological resources.

Impact CULT-3: Project construction could result in damage to previously unidentified human remains.

Mitigation Measure(s):

Mitigation Measure CULT-3: If human remains are encountered, these remains shall be treated in accordance with Health and Safety Code §7050.5. The project applicant shall inform its contractor(s) of the sensitivity of the project area for human remains by including the following directive in contract documents:

> *If human remains are encountered during project activities, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.*

The County shall verify that the language has been included in the contract documents before issuing any new grading or building permits.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the project applicant, the County, the MLD, and the Northwest Information Center.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure CULT-3 will reduce impacts to human remains to a less than significant level by requiring compliance with Health and Safety Code §7050.5.

Impact VIS-1: The proposed project would introduce new sources of light and glare.

Mitigation Measure(s):

Mitigation Measure VIS-1: The following measures shall be incorporated into the project design:

- Exterior lighting shall use fixtures with low-level lighting, focused beams, and directional hoods to minimize light visible from other properties and reduce night sky impacts.

- Non-reflective, permeable surfaces shall be utilized to reduce glare.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure VIS-1 will reduce impacts related to light and glare to a less than significant level by restricting the use of exterior lighting and requiring the use of non-reflective, permeable surfaces to reduce glare.

Impact GCC-1: Construction activities would cumulatively contribute to global climate change.

Mitigation Measure(s):

Mitigation Measure GCC-1: Implement Mitigation Measure AIR-1.

Implementation: This Mitigation Measure will be included in conditions of approval for the Project.

Finding: Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the identified significant impact on the environment to a level that is less than significant.

Rationale for Finding: The implementation of Mitigation Measure GCC-1 will reduce these impacts to less than significant.

9. ALTERNATIVES

In order to select and analyze alternatives that would avoid or substantially lessen any of the project's identified significant adverse environmental effects, the environmental topics for which significant effects were identified in EIR were considered

(Hydrology and Water Quality; Geology, Soils, and Seismicity; Biological Resources; Transportation, Circulation, and Parking; Noise; Hazards and Hazardous Materials; Air Quality; Public Services and Utilities; Cultural Resources; Visual Resources; and Global Climate Change.)

As noted above, the project would not result in any significant unavoidable effects; all significant impacts would be reduced to a less-than-significant level with implementation of the mitigation measures identified in this EIR.

Alternatives Eliminated From Consideration

CEQA requires that all alternatives considered be described, but it does not require a full analysis of alternatives that are infeasible, that do not meet the Project objectives, or that do not potentially reduce environmental impacts. Alternatives considered but eliminated from further consideration for these reasons are addressed below.

Scenic Winery Amendment

One alternative to the project that was initially considered and evaluated would involve enacting a County zoning ordinance amendment that would create a new, larger type of winery called a "Scenic Winery." This type of winery, of which the project would be the first prototype, would be authorized at higher elevations (above 1,500 feet above sea level), where public visitors to the wineries could enjoy scenic views of the San Mateo County coastal hills, the Pacific coastline, and rugged terrain and vegetation. Scenic wineries would be permitted to produce a greater annual wine production than the current 2,500-case limit, in order to be economically viable and to attract wine tourists and visitors from within and outside San Mateo County. Authorizing a number of Scenic Wineries could establish the critical mass of vineyards and wineries needed to create a wine-related tourist area, similar to that found in Napa, Sonoma and Monterey counties, and in several Gold Country counties (including Amador and El Dorado counties). Several of the County's General Plan goals and objectives pertaining to economic development, specifically encouraging the tourism industry and the agriculture industry, would be promoted under the Scenic Wineries amendment. The objective of limiting Scenic Wineries to higher elevations was intended to avoid increasing commercial activities, visible commercial agricultural buildings, and associated vehicle traffic within the flatter, highly visible, and environmentally-sensitive coastal plain. For instance, wineries built along Skyline Boulevard would be largely invisible from the roadway due to the dense native evergreen trees that screen or obscure the appearance of most structures.

The Scenic Wineries concept was presented during the scoping meeting held for the previous EIR and was also discussed therein. The amendment would limit the maximum annual wine production for each winery to 13,000 cases, in order to reduce the types of impacts associated with larger wineries (e.g., increased commercial and visitor traffic, land use incompatibilities). The EIR scoping process revealed considerable public opposition to the Scenic Wineries amendment, based on a

perceived proliferation of larger wineries at high elevations and a desire to retain the area around Skyline Boulevard in its rural and largely-undeveloped condition. Numerous objections were raised in regard to increased tourist vehicular traffic along Skyline Boulevard, including concerns about traffic safety, noise, and disturbance of the rural atmosphere of the Skyline Boulevard corridor. Concerns about the potential of the proposal to increase property tax assessments were also voiced. The proposed Scenic Wineries amendment was rejected from detailed analysis in this EIR and is not being pursued by the County or the applicant.

Off-Site Alternative

An off-site alternative was also rejected from detailed analysis. Such an alternative would involve the development of a comparably-sized winery (producing up to 13,000 cases per year) at another location nearby. Finding another suitable site in the vicinity of the project site would be difficult due to the lack of large parcels of available and accessible high quality agricultural land suitable for growing pinot noir grapes in the area and the presence of environmental constraints throughout much of the Santa Cruz Mountains (e.g., earthquake hazards, wetlands, and other sensitive habitat). It would also require trucking grapes from the proposed winery site to the alternative off-site location since the proposed site is already being cultivated as a vineyard, increasing truck trips on Skyline Boulevard. In addition, depending on the site selected, an off-site location could result in land use incompatibilities and increased noise levels.

The project site is well-suited for growing pinot noir grapes, based on soil, slope, aspect, and elevation characteristics. In addition, the existing site currently has lawfully constructed caves that are suitable for operation of a winery, and flat areas that are suitable for building construction. The presence of these features would reduce the environmental impacts of project development compared to development of the project at an off-site location. Since alternatives should be selected to reduce identified significant impacts of the project, an off-site alternative was rejected from detailed consideration in this EIR.

Original Parcel Configuration Alternative

An Original Parcel Configuration alternative in which vineyards would be planted on property owned by the project sponsor in the Woodhams Creek watershed was also considered and rejected. This potential alternative was rejected because the project sponsor desires to plant only in the Langley Creek watershed, in order to avoid any adverse impact to the Woodhams Creek watershed (which is relied on by residents of the Town of La Honda for drinking water). However, the environmental effects of this original configuration are analyzed as part of the No Project Alternative.

Vineyard Slope Restrictions

The adoption of vineyard slope restrictions was also identified as a potential alternative but ultimately rejected. Such restrictions would be implemented on the

project site via a new County-wide ordinance. Depending upon how restrictive new regulations would be in governing vineyard plantings on steeper slopes, the maximum acreage of vineyards on the project site would be reduced. This alternative raised land use policy objections. First, adverse environmental effects associated with planting along steep slopes can be reduced through standard best management practices. For instance, at the existing vineyard on the project site, erosion is minimized through the use of cover crops, a customized irrigation regime, planting strips, and other BMPs. Second, vineyard slope restrictions could compromise the continued viability and evolution of agriculture in San Mateo County. Therefore, this alternative was rejected from detailed consideration in this EIR.

Alternatives Evaluated

No-Project Alternative

Under the No Project alternative, the proposed winery would not be developed within the project site because the County would not rezone the site to PUD and the Lot Line Adjustment would not be approved. In addition, the development of two residences and a service building/bunk house would not occur. Without the proposed lot line adjustment, the project site would retain its original configuration, as shown on Figure II-1, and would be situated in both the Langley Creek and Woodhams Creek watersheds. Because the site is zoned for agricultural use, the property would continue to be utilized as a vineyard, and the existing caves would be finished and used for ancillary agricultural activities, including storage and other agricultural uses. Vineyard expansion would continue to increase the size of the vineyard from its current 25 acres to a total of 63 acres, similar to the proposed project, but the vineyard would no longer be situated entirely within the Langley Creek watershed. Under the No Project alternative, approximately 15 acres of vineyard would be situated in the Woodhams Creek watershed. One well would be installed to supply irrigation water to the Woodhams Creek vineyard area. Grapes harvested from the site would continue to be transported by truck to an off-site winemaking facility, but due to the expansion of planted acreage, the amount of grapes trucked off-site would increase by approximately 250 percent. Agricultural operations, water usage for irrigation, erosion control, and weed and pest control activities would be approximately the same as would occur under the proposed project.

Reduced Production Alternative

Under the Reduced Production alternative, the County would decline to amend its zoning ordinance to authorize a PUD zone regulating land uses on the site and would decline to issue permits allowing construction and operation of a winery with an annual wine production of up to 13,000 cases. Instead, the County would issue a Use Permit pursuant to existing County ordinances, allowing construction and operation within the existing caves of a winery with an annual wine production not to exceed 2,500 cases and would grant the requested Lot Line Adjustment reconfiguring the property. This alternative would also include the construction of the residential uses and bunk house/service building that would be constructed as part of the proposed project.

Relocated Vineyard/No Winery Alternative

Under the Relocated Vineyard/No Winery alternative, vineyard plantings would not occur within the Woodhams Creek watershed (because the lot line adjustment would be granted) and no winery of any size would be permitted. However, two residences would be developed on the site, in addition to the service building/bunk house. This alternative assumes the lot line adjustment would be granted so that the planted vineyards would be outside of the Woodhams Creek watershed where the effects of agricultural activities will not directly affect the water supply of the La Honda community.

Findings Regarding Project Alternatives

CEQA only requires public agencies to make findings regarding the feasibility of project alternatives in limited circumstances. Public Resources Code section 21081(a) provides that a public agency may not approve a project unless it makes findings, with respect to each significant project effect, that 1) mitigation has been required to reduce the significant effect, 2) mitigation to reduce the significant effect is within the jurisdiction of another public agency and should be adopted by that agency, and 3) that "[s]pecific economic, legal, social, technological, or other considerations . . . make infeasible the mitigation measures or alternatives identified in the environmental impact report." (Pub. Res. Code § 21081(a), emphasis added, see also CEQA Guidelines § 15091(a).)

In *Mira Mar Mobile Community v. City of Oceanside (CH Oceanside)* (2004) 119 Cal.App.4th 477, 490, the Court of Appeal confirmed that, where the city found that the only adverse impact of a project could be avoided through the imposition of mitigation measures, "it was not required to make any findings regarding the feasibility of proposed alternatives." (Citing *Rio Vista Farm Bureau Center v. County of Solano* (1992) 5 Cal.App.4th 351, 379 ["CEQA does not require the [] agency to consider the feasibility of environmentally superior project alternatives identified in the EIR if described mitigation measures will reduce environmental impacts to acceptable levels"], *Laurel Heights Improvement Ass'n v. Board of Supervisors* (1988) 47 Cal.3d 376, 402, and *Laurel Hills Homeowners Ass'n v. City Council* (1978) 83 Cal.App.3d 515, 521.)

The project would not result in any significant unavoidable effects; all significant impacts would be reduced to a less-than-significant level with implementation of the mitigation measures identified in this EIR. Accordingly, the County is not required to make findings regarding the feasibility of the alternatives considered in the EIR. As such, the following discussion is provided for informational purposes only.

From an impact avoidance perspective, the Relocated Vineyard/No Winery alternative is the environmentally superior alternative because it would reduce impacts to the Woodhams Creek watershed and would reduce wine-making activity on the site (resulting in slight reductions in on-site emissions and water use). This alternative would incrementally increase truck trips along local roadways because grapes harvested on the site would need to be transported off-site for processing (although truck traffic associated with the off-site transport of processed wine would be

eliminated). This alternative would not attain the project's basic objectives as well as the project would.

However, in the context of overall environmental impacts, the proposed project is environmentally sound compared to all other project alternatives. Further, the proposed project does not result in any significant impacts that cannot be reduced to a level of less than significance through the implementation of the MMRP. This conclusion is based in part on the project's avoidance of agricultural activities within the Woodhams Creek watershed (and therefore avoidance of potential water supply impacts affecting the La Honda community). Avoidance of water quality supply impacts to the La Honda community would not occur under the No Project alternative. While the Relocated Vineyard/No Winery Alternative also avoids the Woodhams Creek watershed, the lack of a winery means that on-site vineyard grape production must be trucked off-site to other wineries, producing adverse noise and traffic effects (although the transport of processed wine off-site would be eliminated under this alternative). Establishing a winery on the project site would allow for agricultural production and wine production to occur in the same area, reducing the need to transport grapes off-site for processing, and achieving all project objectives.

10. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

An EIR must identify any significant irreversible environmental changes that could result from implementation of a proposed project. These may include current or future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses.

The proposed project would result in no significant irreversible effects, including unavoidable environmental impacts. The expansion of vineyard uses on the site would be considered beneficial, both in the context of County policies that promote the continuation and viability of agriculture, and the sustainable vineyard management practices that are currently used on the site and will continue to be used as part of the project. These practices would ensure the site can be farmed well into the future.

While the proposed project could result in the accidental release of hazardous chemicals, mitigation measures identified in the EIR would reduce the potential for these releases to a less-than-significant level. In addition, releases of agricultural chemicals (which are used in only small quantities on the project site) would degrade over time and would not represent an irreversible environmental risk.

The project would involve the consumption of non-renewable energy resources during the construction and operation periods. However, facilities that are proposed for the site are intended to facilitate use of the site for agriculture. Therefore, the use of non-renewable energy to develop and operate the project is warranted.

11. GROWTH INDUCING IMPACTS

A project could indirectly induce growth by reducing or removing barriers to growth, or by creating a condition that attracts additional population or new economic

activity. However, a project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment.

Typically, the expansion of agricultural fields is not considered growth-inducing because farms usually are not substantial employment generators and do not entail the construction of large amounts of new housing. In addition, agricultural activities are an important means to preserve open space and direct growth into urban areas (where the environmental impacts of new development can be reduced).

Implementation of the proposed project would result in a small amount of direct population growth within the project site through the development of living quarters for the winery owners and foreman and a service building/bunk house containing housing for up to 15 temporary employees. It is estimated that the owner of the winery would spend approximately 30 full days in the residence each year and up to 60 half days. It is expected that the winery foreman would spend most of the year in the foreman living quarters. The bunk house would be occupied for approximately 1 month per year (during the harvest season). Because the residences and bunk house on the site would be relatively small in capacity, and would be used for only a fraction of every year, the direct population growth that would result from the project would not be considered substantial or adverse. No permanent housing would be built on the site for individuals other than the winery owner and foreman.

The project could result in indirect population growth associated with increased employment on the site. However, this increase would not be substantial in the context of regional population growth. The project would result in an increase in temporary seasonal employees, from 10 employees to 15 employees (a net increase of five temporary seasonal employees).

The number of full-time employees would not increase as part of the project. There are currently 12 full-time employees at the site. It is unlikely (but possible) that some of the new seasonal employees would choose to live in San Mateo County. However, any associated migration to the County from other areas would not constitute significant population growth.

12. SUMMARY

1. Based on the foregoing Findings, and on the information contained in the record, the Board has made the following finding with respect to each one of the significant effects of the Clos de la Tech Project:

Changes or alterations have been required in, or incorporated into, the Project, which mitigate or avoid the significant effects on the environment.

2. Based on the foregoing Findings and the information contained in the record, it is determined that:

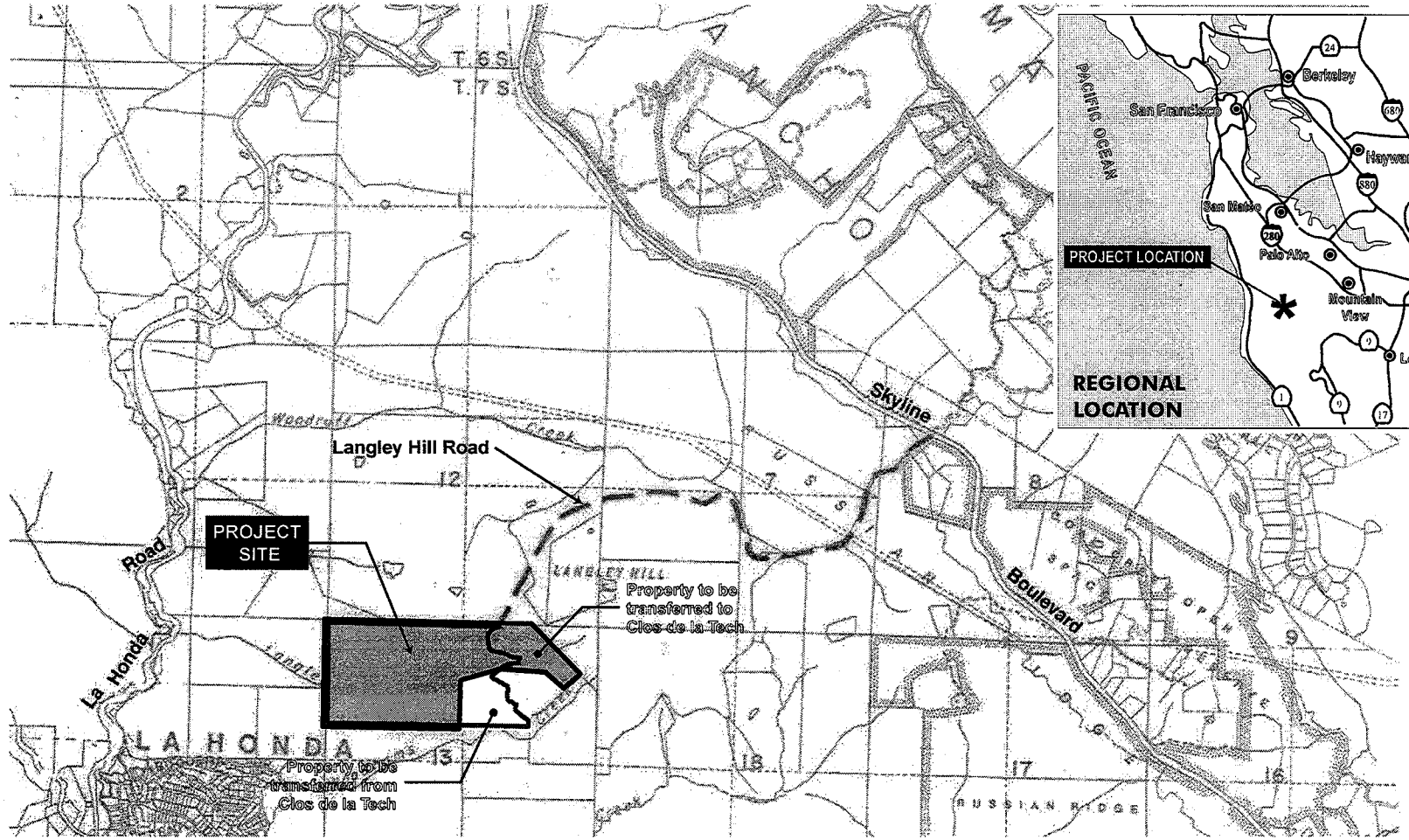
All significant effects on the environment due to the Clos de la Tech Project are either less than significant or will be reduced to a less than significant level through the implementation of the MMRP.

13. INCORPORATION BY REFERENCE.

The Final EIR is hereby incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of Mitigation Measures, and the basis for determining the significance of impacts, the comparative analysis of alternatives.

14. RECIRCULATION NOT REQUIRED

No new or substantial changes to the Draft EIR were proposed as a result of the public comment process. The Final EIR responds to comments and makes only minor technical changes, clarifications, or additions to the Draft EIR. The minor changes, clarifications and additions to the Draft EIR do not identify any new significant impacts or a substantial increase in the severity of any economic impacts.



LSA

not to scale

Existing Boundary of Clos de la Tech Property

Project Site (after property exchange and lot line adjustment)

Note: Many elements of this map have not been verified through Surveying methods and are therefore representative in nature and should not be used for legal or engineering purposes.

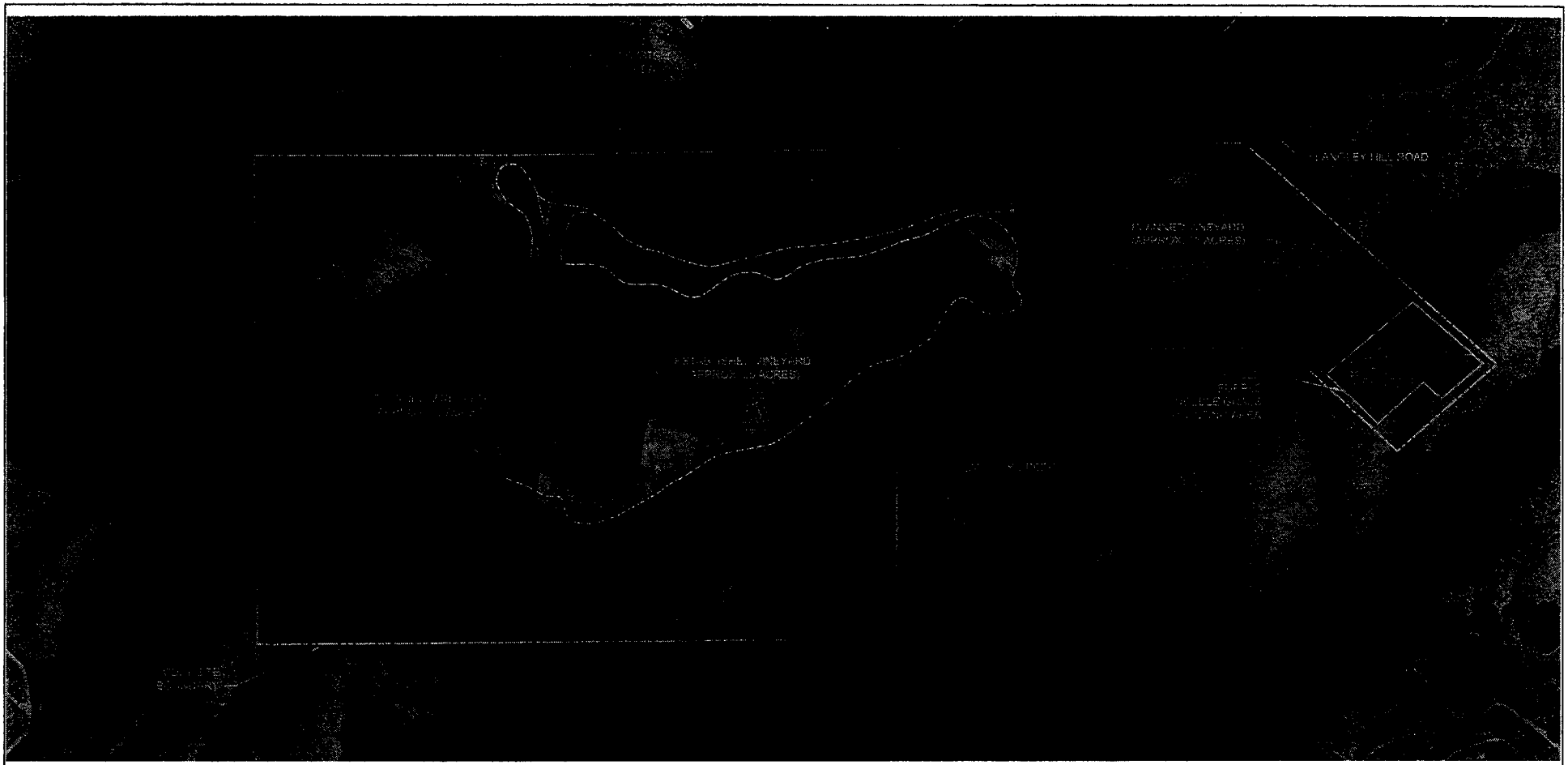
Clos de la Tech Winery Project EIR
Project Site Location
and Regional Vicinity

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **CLOS DE LA TECH WINERY**

File Numbers: **PLN 2001-00534**

ATTACHMENT C



LSA

N

0 400 800

feet

APPROXIMATE PROPERTY BOUNDARY

PLANNED VINEYARD AREA

EXISTING ROADWAYS (UNPAVED) (TOTAL 7,653 FEET)

PLANNED ROADWAYS (UNPAVED) (TOTAL 7,952 FEET)

PLANNED ROADWAYS (SUPPORTED) (UNPAVED) (TOTAL 290 FEET)

PLANNED GRASS PLANTING AREA

Clos de la Tech Winery Project EIR
Proposed Project Components

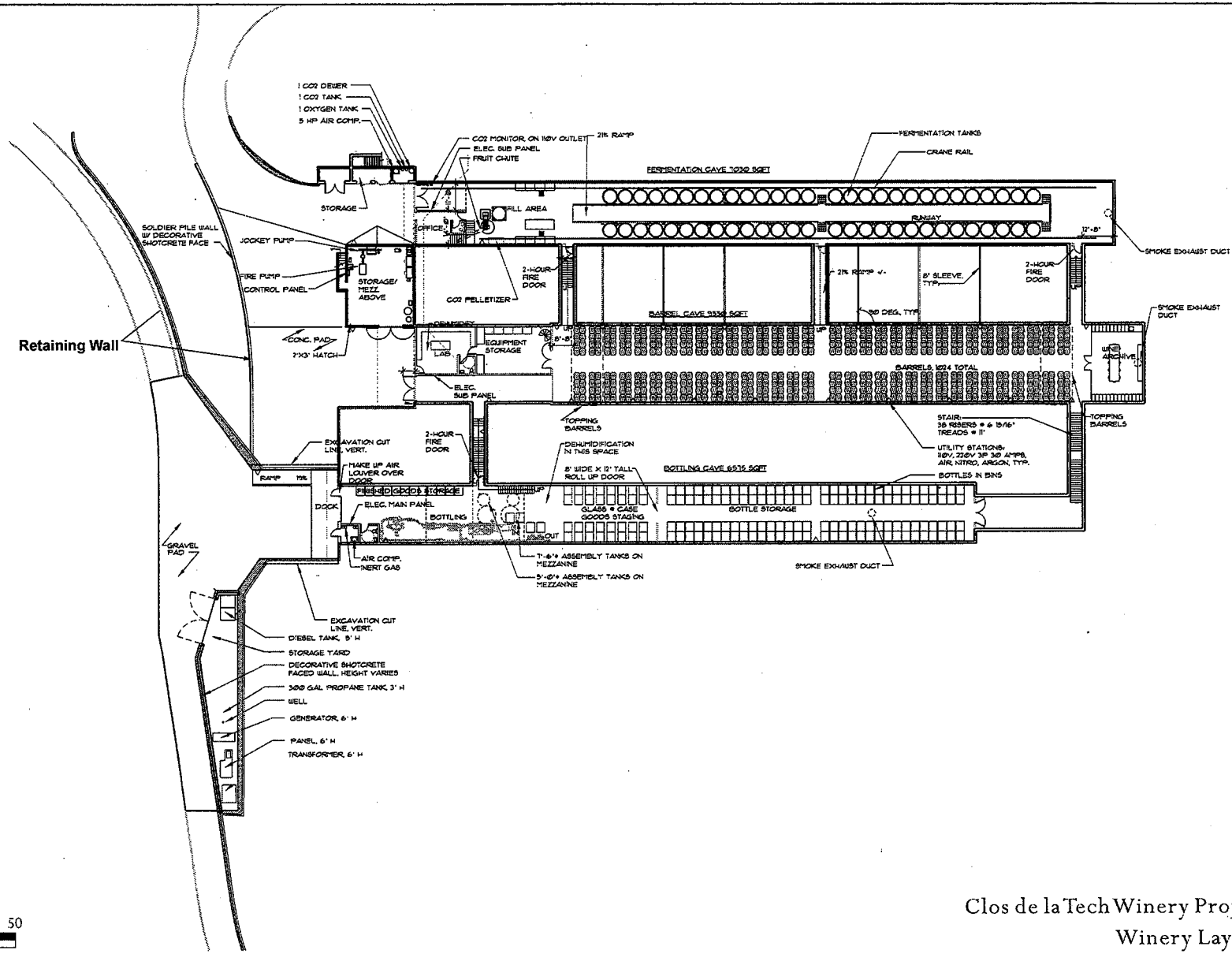
San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **CLOS DE LA TECH WINERY**

File Numbers: **PLN 2001-00534**

ATTACHMENT D

-2010 rp



Clos de la Tech Winery Project EIR
Winery Layout

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **CLOS DE LA TECH WINERY**

File Numbers: **PLN 2001-00534**

ATTACHMENT E

LSA

Clos de la Tech Winery Project EIR
Winery Exterior Drawing

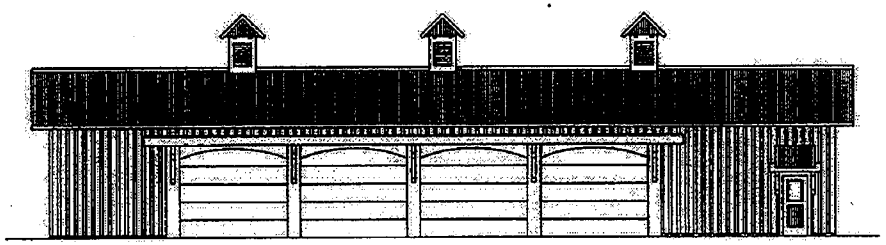
San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **CLOS DE LA TECH WINERY**

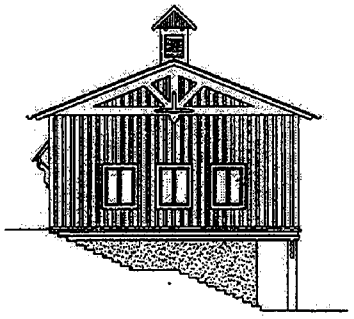
File Numbers: **PLN 2001-00534**

ATTACHMENT F

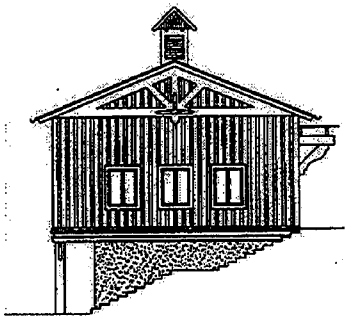
rp



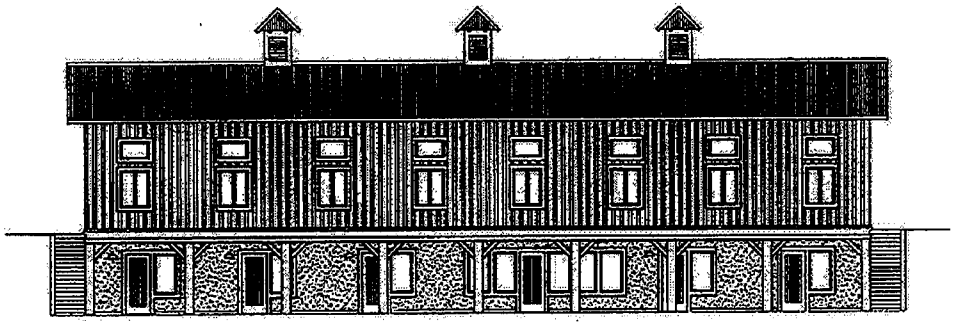
LOOKING WEST



LOOKING SOUTH



LOOKING NORTH



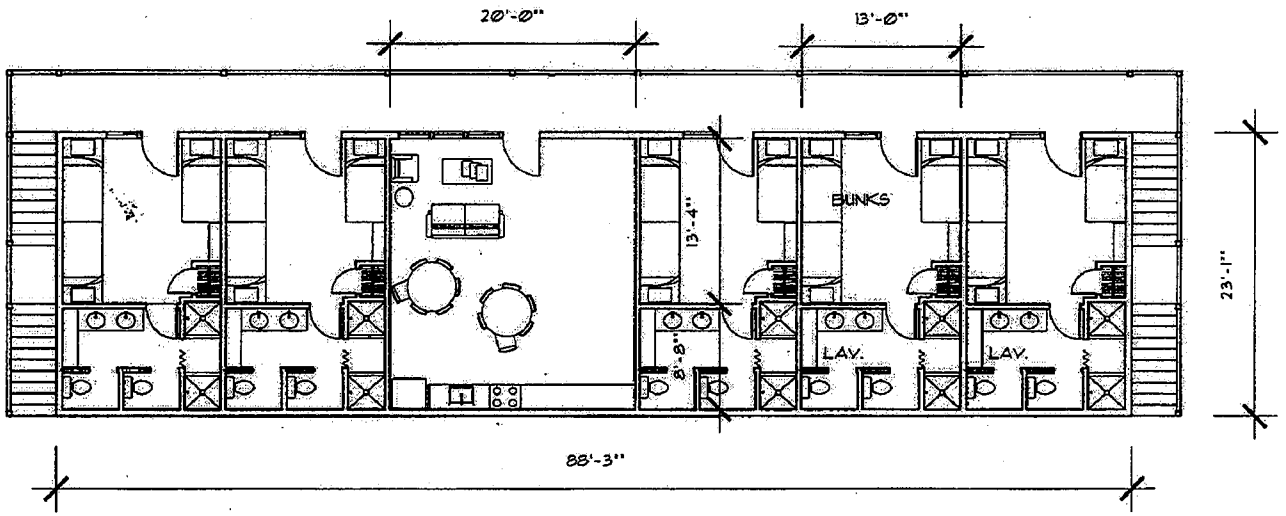
LOOKING EAST

San Mateo County Board of Supervisor's Meeting

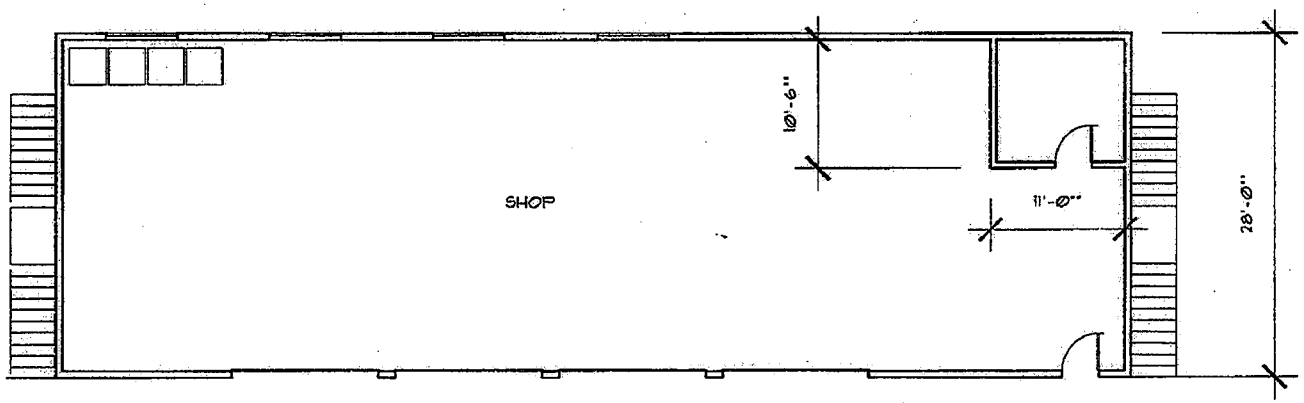
Owner/Applicant: **CLOS DE LA TECH WINERY**

File Numbers: **PLN 2001-00534**

ATTACHMENT G



LOWER LEVEL 2413 SQFT
3/16" = 1'-0"



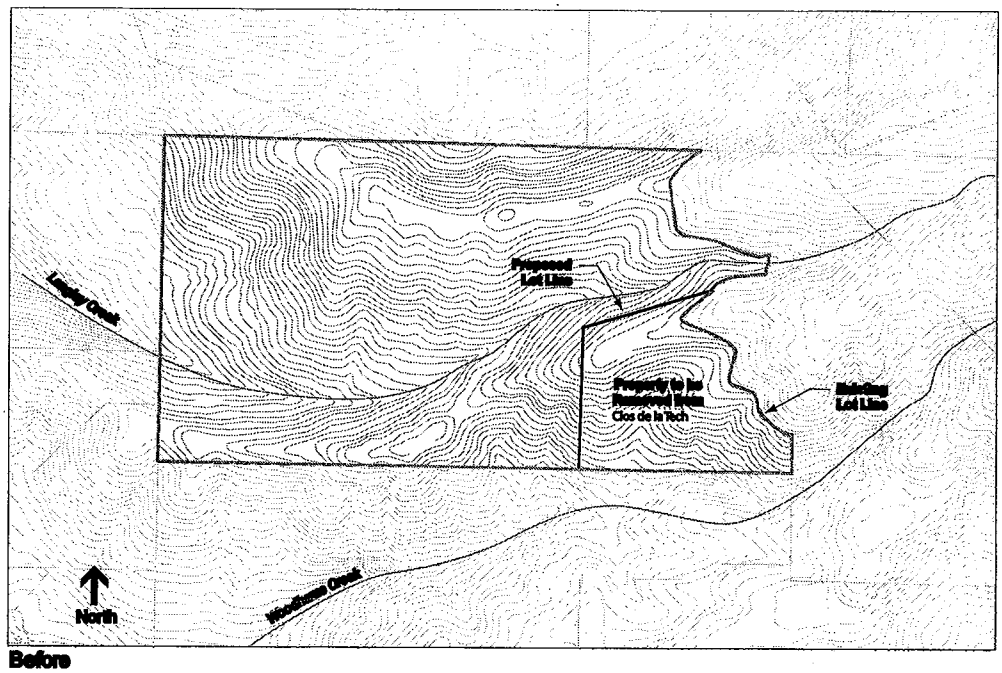
UPPER LEVEL 2473 SQFT
3/16" = 1'-0"

San Mateo County Board of Supervisor's Meeting

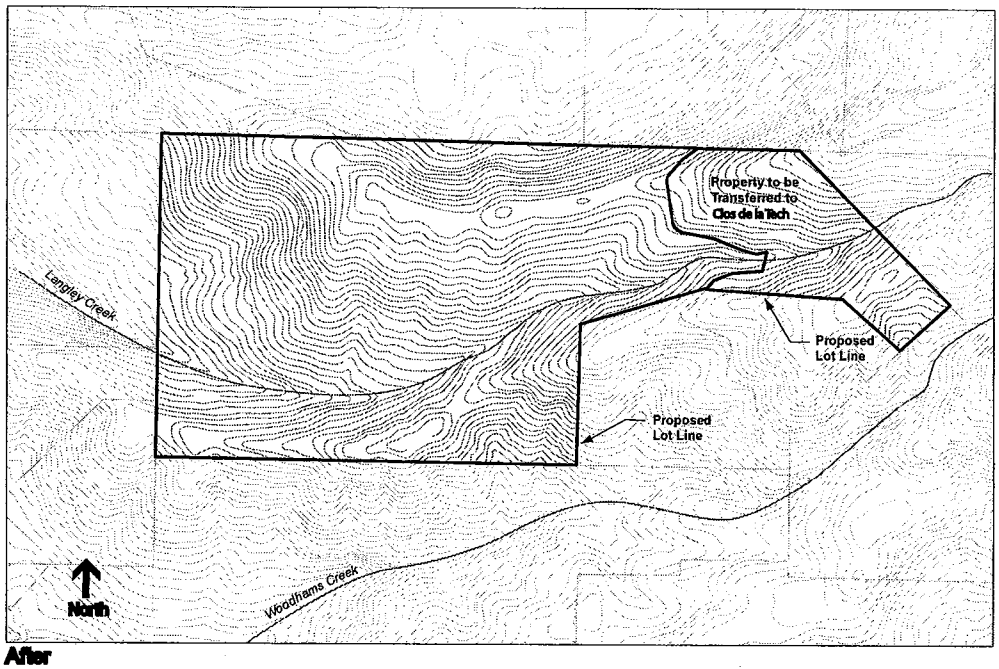
Owner/Applicant: **CLOS DE LA TECH WINERY**

File Numbers: **PLN 2001-00534**

ATTACHMENT G



Before



After

LSA

Note: Many elements of this map have not been verified through Surveying methods and are therefore representative in nature and should not be used for legal or engineering purposes.

not to scale

Clos de la Tech Winery Project EIR

San Mateo County Board of Supervisor's Meeting

Owner/Applicant: **CLOS DE LA TECH WINERY**

File Numbers: **PLN 2001-00534**

ATTACHMENT H

MITIGATION MONITORING AND REPORTING PROGRAM

Introduction

This document describes the Mitigation Monitoring and Reporting Program (MMRP) for ensuring the effective implementation of the mitigation measures required for approval by San Mateo County (County) of the Clos de la Tech Winery Project (project). When a lead agency adopts findings pursuant to Public Resources Code (PRC) Section 21081 and Section 15091 of the *CEQA Guidelines* upon completion of an Environmental Impact Report (EIR), the lead agency is required to adopt a reporting and monitoring program pursuant to PRC Section 21081.6 and Section 15097 of the *CEQA Guidelines*. The purpose of the MMRP is to ensure that measures adopted to mitigate or avoid significant environmental impacts are implemented. An MMRP does not need to be included with the EIR as at times the findings which trigger the program are made after considering the EIR. The MMRP will not only direct the implementation of mitigation measures by the specified responsible parties, but also facilitate the monitoring, compliance and reporting activities of the County and any monitors it may designate.

Roles and Responsibilities

As the lead agency under CEQA, the County will be responsible for ensuring full compliance with the provisions of this monitoring program and will have primary responsibility for implementation of the monitoring program. The County has the authority to halt any activity associated with the construction and operation of the project if the activity is determined to be a deviation from the approved project or the adopted mitigation measures.

Mitigation Monitoring and Reporting Program

The attached table presents a compilation of the mitigation measures in the Final EIR, and includes columns that show: (1) each impact identified in the Final EIR; (2) each mitigation measure included in the Final EIR; (3) the phase at which each mitigation measure will be monitored; (4) the responsible entity for implementing each mitigation measure; (5) the responsible entity for enforcing each mitigation measure; and (6) the responsible agency for monitoring each mitigation measure.

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
HYDROLOGY					
Impact HYD-1: The project would generate increased runoff (including increased polluted runoff), which could adversely affect downstream waters. (S)	Mitigation Measure HYD-1a: Prior to issuance of site-specific permits, the project sponsor shall prepare a Master Drainage Plan that shall comply with all applicable hydromodification requirements, including those of the Regional Water Quality Control Board and San Mateo County. The Master Drainage Plan (MDP) shall be based on: 1) Shaw Environmental, Inc., 2010. Summary of Technical Findings, Clos de la Tech Vineyard and Winery Development Project, San Mateo County, California. July; 2) Northwest Hydraulic Consultants, 2010. Review Comments for June – July Version of Shaw Report. August 2; 3) a site-specific geotechnical report prepared for the site; and 3) final plans for all grading, roadways, buildings, and other structures proposed for the project site. The MDP shall be: prepared by a licensed engineer; require that all significant construction work occur during non-rainy seasons; and require a variety of appropriate stormwater control measures, including: • use of hay bales, jute netting, silt fencing; • reseeding of disturbed soils and use of straw mulch cover; • construction of engineered retention basins and vaults; • retention of plant cover before and after planting as feasible between vine rows; • use of filter strips; and • monitoring of soil conditions to reduce unnecessary irrigation. Further, the MDP shall, at a minimum, require the following features for each stormwater basin on the project site. These features shall be built and/or installed prior to the issuance of the first building permit or a habitable structure, or the planting of additional vineyards (whichever comes first). The MDP shall demonstrate that such structures prevent significant stormwater flow based on the BAHM analysis contained in the Shaw report. *Basin 1:* The project applicant shall install 25 hay bale structures along the base of the new vineyard area or a single trapezoid-shaped pond measuring approximately 77 feet by 77 feet. *Basin 2:* The project applicant shall install 20 hay bale structures along the base of the new vineyard areas or a single 40-foot by 40-foot trapezoidal pond.	Pre-construction	Applicant/ Licensed Engineer	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	Basin 3: The project applicant shall install 30 hay bale structures along the base of the new vineyard areas or a single 60-foot by 60-foot trapezoidal pond. *Basin 4:* The project applicant shall install 20 hay bale structures along the base of the new vineyard areas or a single 22-foot by 45-foot trapezoidal pond. *Basin 5:* The project applicant shall install 30 heightened hay bale structures along the base of the new vineyard areas or a single 59-foot by 59-foot trapezoidal pond. *Basin 6*: The project applicant shall install a single 41-foot by 41-foot trapezoidal pond. *Pad Support Basin:* The project applicant shall install a single 31-foot by 31-foot by 3-foot deep vault within the pad. The MDP shall be reviewed and approved by the County. (LTS)				
	Mitigation Measure HYD-1b: The project applicant shall continue to implement and maintain the erosion control BMPs that have been established on the site, and use similar BMPs in areas covered by new vineyards and buildings. In addition, the applicant shall implement the following erosion prevention and sediment control measures: • Provide weekly inspections of the erosion control measures during the irrigation season, as well as during and immediately after rain events, to ensure the measures are effective in controlling sedimentation. • Establish permanent sediment retention basins that are sized to accommodate sedimentation from the entire vineyard, winery and road area (see Mitigation Measure HYD-1a). • Implement an on-going self-monitoring program of erosion control and groundcover conditions.	Project Operation	Applicant	Planning and Building Department	Planning and Building Department
	Mitigation Measure HYD-1c: The applicant shall prevent additional chemical pollutants from entering the waterway by continuing to utilize pesticides in accordance with State regulations. Pesticide use shall be minimized through the preparation and implementation of a chemical use plan (which could be incorporated into an Integrated Pest Management Plan) that shall be reviewed and approved by the County. The applicant shall continue to monitor groundwater and surface water biannually, at the beginning and end	Project Operation	Applicant	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	of the irrigation season, and shall report the findings, annually, to the County. In addition, samples shall be taken after the first winter storm event.				
	Mitigation Measure HYD-1d: The project applicant shall continue to implement the Fish Friendly Farming Practices currently implemented on the site. The County shall undertake bi-annual inspections to insure that Fish Friendly Farming Practices are being utilized. Bi-annual water samples shall continue to be taken from the current five locations currently being tested by the project applicant. The County shall inspect the water quality samples to ensure that the samples do not contain significant levels of pollutants or fertilizers from the vineyard. (LTS)	Project Operation	Applicant	Planning and Building Department	Planning and Building Department
GEOLOGY					
Impact GEO-1: The project could result in substantial soil erosion or the loss of topsoil. (S)	Mitigation Measure GEO-1: Implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d. (LTS)	See Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d.	See Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d	See Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d	See Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d
Impact GEO-2: The project could result in slope instability, debris flow, and landslides. (S)	Mitigation Measure GEO-2: A geotechnical investigation, prepared by a licensed professional, shall be prepared for development on the site. The investigation shall be prepared in accordance with the requirements of San Mateo County and shall provide design recommendations for all proposed site improvements, including structures, roads, hillside cultivated areas, and wastewater treatment facilities. The design recommendations shall be incorporated into final grading, building, and drainage plans, and eventual construction shall be in conformance with standards in the applicable California Building Code. (LTS)	Pre-construction	Applicant/ Licensed Geotechnical Professional	Planning and Building Department	Planning and Building Department
BIOLOGY					
Impact BIO-1: Clearing and construction in the proposed vineyard areas would result in the loss of 1.4 acres of high density and 12.8 acres of low density Purple Needlegrass Grassland, a sensitive	Mitigation Measure BIO-1a: In accordance with the draft PUD attached as Appendix E, the project sponsor shall restore 5 acres of purple needlegrass grassland within the Protected Habitat Area. The purple needlegrass grassland acreage shall be of high-density, meeting at least 20 percent coverage. Per the requirements of the draft PUD, the project sponsor shall: • Ensure that transplanting, planting, and seeding includes local, native purple needlegrass at densities that are appropriate for the site and recommended by a qualified biologist. The sources of plugs and seeds shall be from on-site or another local source to maintain the genetic	Ongoing Pre-construction	Applicant/ Biologist Applicant/ Biologist	Planning and Building Department Planning and Building Department	Planning and Building Department Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
plant community. (S)	integrity of the on-site population. • For the first 5 years of the restoration efforts, provide an annual report to the County, to be prepared by a qualified biologist or botanist, documenting how the restoration is meeting the coverage criteria. • Provide funding assurances acceptable to the County that will be sufficient to guarantee successful performance success of the restoration and monitoring. Mitigation Measure BIO-1b: The 2009 focused protocol-level special-status plant surveys conducted by Shaw did not include the proposed purple needlegrass mitigation area, including mapping of the species present within the proposed mitigation area. To avoid potential impacts to existing purple needlegrass, special-status plants, and sensitive plant communities, prior to any ground disturbance or plantings in onsite mitigation area, protocol-level surveys shall be conducted for special-status plants and sensitive communities. Surveys shall be conducted by qualified botanists according to CDFG and CNPS protocols. If found during the surveys, any existing special-status plants, purple needlegrass, and other sensitive natural communities in this area shall be thoroughly and accurately mapped using GPS. Locations of special status plants shall be avoided or measures implemented to protect special status species shall be incorporated into the Protected Habitat Area. The relative and absolute cover of purple needlegrass shall be estimated and to be considered a sensitive plant community according to the *Manual,* a stand shall have an absolute cover of purple needlegrass that is greater than 5 percent or a relative cover greater than 10 percent. Any existing stands of purple needlegrass at the mitigation area that are considered a sensitive community shall be preserved and the acreage can be counted toward the acreage required for compensatory mitigation. During the proposed purple needlegrass planting, these areas of existing purple needlegrass and other sensitive plant communities shall be avoided and shall be clearly delineated with flagging or fencing. (LTS)				
Impact BIO-2: Development of vineyard blocks could result in impacts to aquatic habitat in Langley Creek and downstream areas supporting steelhead/	Mitigation Measure BIO-2: Development of the vineyard blocks shall be conducted during the dry season (April 15 through October 15) when surface runoff would be minimized. In addition, implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d. (LTS)	Construction	Applicant/ Contractor	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
rainbow trout through increased erosion and sedimentation. (S)					
Impact BIO-3: Grading of roads, construction, planting, and vineyard operation and maintenance may cause impacts to the California red-legged frog. (S)	Mitigation Measure BIO-3a: Implement Mitigation Measure BIO-7. This shall require rerouting of the access road to avoid the seep and adjacent willow riparian area. The final project plans shall reflect preservation of the seeps. Placing a bridge over the seep would shade out wetland vegetation and would result in a loss of associated wetland functions (cover, sediment filtering, etc.).	See Mitigation Measure BIO-7	See Mitigation Measure BIO-7	See Mitigation Measure BIO-7	See Mitigation Measure BIO-7
	Mitigation Measure BIO-3b: To facilitate movement of California red-legged frogs through the vineyard area, gaps should be incorporated into the design of proposed hay bales/silt fence dikes. Gaps shall be no more than 100 feet apart and no less than 2-feet wide. The design of the fence shall be approved by a wildlife biologist with demonstrated knowledge of California red-legged frog biology and ecology and shall be approved by the Director of the Planning and Building Department. In addition, no plastic netting shall be allowed for any erosion control matting or fiber roles. All erosion control materials shall use coconut or other natural fiber for netting because amphibians such as the California red-legged frog, and reptiles and birds can be easily tangled in plastic netting.	Pre-construction	Applicant	Planning and Building Department	Planning and Building Department
	Mitigation Measure BIO-3c: In accordance with the draft PUD attached as Appendix E, the project sponsor shall preserve 80 acres of the 166-acre property located outside of the footprint of the winery and associated vineyard development ("Protected Habitat Area") in its current undeveloped condition as potential habitat. Per the requirements of the draft PUD, the following uses and activities shall be prohibited wit the Protected Habitat Area: • Unseasonable watering; use of fertilizers, pesticides, biocides, herbicides or other agricultural chemicals; weed abatement activities; and incompatible fire protection activities. • Use of off-road vehicles and use of any other motorized vehicles except on existing roadways. • Agricultural activity of any kind.	Pre-construction	Applicant	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	• Recreational activities, including, but not limited to, horseback riding, biking, hunting or fishing except for personal, non-commercial, recreational activities of the owner of the affected property and his or her guests. • Commercial, industrial, residential, or institutional uses. • Any legal or de facto division, subdivision or partitioning of the Protected Potential Habitat Area except for the purposes of environmental preservation. • Construction, reconstruction, erecting or placement of any building, billboard or sign. • Depositing or accumulation of soil, trash, ashes, refuse, waste, bio-solids or any other materials. • Planting, introduction or dispersal of non-native or exotic plant or animal species. • Filling, dumping, excavating, draining, dredging, mining, drilling, removing or exploring for or extracting minerals, loam, soil, sand, gravel, rock or other material on or below the surface of the Protected Potential Habitat Area, or granting or authorizing surface entry for any of these purposes. • Altering the surface or general topography of the Protected Habitat Area, including, but not limited to, any alterations to habitat, building roads or trails, paving or otherwise covering the Protected Potential Habitat Area with concrete, asphalt or any other impervious material. • Removing, destroying, or cutting of trees, shrubs or other vegetation, except as required by law for (i) fire breaks, (ii) maintenance of existing foot trails or roads, or (iii) prevention or treatment of disease. Impounding or altering any natural water course, body of water or water circulation on the Protected Habitat Area, and any activities or uses detrimental to water quality, including but not limited to degradation or pollution of any surface or sub-surface waters. (LTS)				
Impact BIO-4: Clearing vegetation or construction activity for the proposed vineyards would result	Mitigation Measure BIO-4: If vegetation removal or construction activity is scheduled between March 1 and August 31, a qualified biologist shall conduct a nest survey of the areas where vegetation is to be removed within 2 weeks of the scheduled removal. If an active nest is found, a 25- to 50-foot buffer (depending on the nesting species and habitat) shall be established around	Pre-construction	Applicant/ Biologist	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
in impacts to nesting birds protected under the federal migratory bird treaty act and the California Fish and Game Code. (S)	the nest site and a qualified biologist shall monitor the nest at periodic intervals (no less than 1 week intervals) until the young have fledged or it has been determined that the nest has failed. After the monitoring biologist has determined that the nest site is inactive, clearing of vegetation and/or other construction activity can commence in the former buffer area. If a raptor species is found nesting within a proposed construction area, a minimum 200- to 300-foot buffer, depending on species, shall be established and maintained around the nest site until the monitoring biologist has determined that the young have fledged or the nest has failed. Buffer areas around nests could be reduced if in consultation with CDFG it is determined that a smaller buffer would not result in adverse impacts to the nesting bird or the nestlings. (LTS)				
Impact BIO-5: Clearing of vegetation and grading for vineyard block could adversely affect active American badger dens. (S)	Mitigation Measure BIO-5: Within 2 weeks of scheduled clearing and/or grading of a given vineyard block, the area and a 250-foot surrounding buffer shall be surveyed by a qualified biologist for active badger dens. If an active American badger den is found, the biologist shall consult with the CDFG to determine if clearing and grading within the vineyard block is likely to adversely affect the den. If the den is occupied by an individual other than a female with young, CDFG shall be contacted to determine if live trapping and relocation is an option. If it is determined that the den is occupied by a female with young, the area within 250 feet of the den may have to be avoided until the young have matured and dispersed from their natal den. (LTS)	Pre-construction	Applicant/ Biologist	Planning and Building Department/ CDFG	Planning and Building Department
Impact BIO-6: Construction activities in the wine caves could adversely affect roosting Townsend's big-eared bats and other bats. (S)	Mitigation Measure BIO-6: A pre-construction survey of the wine caves shall be conducted prior to their final closure to determine if bats are roosting in the caves. No eviction of bats shall occur if the roosts are determined to be maternity roosts. If maternity roosts are observed in the caves, then the biologist shall contact CDFG for additional guidance. If bats are present, and the roosts are determined to be day or night roosts, bats shall be excluded before the caves are sealed. A mitigation plan to provide alternate roost sites shall be prepared before excluding the bats if the colonies contain either Townsend's big-eared bats or pallid bats. Exclusion shall be accomplished during the final stages of work on the closure when entrance to the caves is restricted to doors or other openings in the cave façade. Bats shall be excluded by strategically placing netting over open doors or other openings. The netting can be hung over openings so bats can crawl out under the bottom "flap" of the net, but not fly back in. If feasible, the best time to exclude bats would be in the fall (August to October) after maternity colonies have dispersed and before winter roosts have formed. (LTS)	Pre-construction	Applicant/ Biologist	Planning and Building Department/ CDFG	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
Impact BIO-7: The project, with the roadway improvements currently proposed, could result in fill of approximately 0.03 acres of jurisdictional waters of the United States, waters of the State, and stream areas subject to CDFG jurisdiction. (S)	Mitigation Measure BIO-7: The existing jurisdictional features shall be avoided. The final project plans shall reflect preservation of the seeps and total avoidance of Corps jurisdictional areas by project roadway improvements. (LTS)	Pre-construction	Applicant	Planning and Building Department	Planning and Building Department
Impact BIO-8: Road construction and vineyard planting could result in indirect disturbance to riparian areas subject to CDFG regulation pursuant to Section 1600 et seq. of the Fish and Game Code. Post-construction runoff from roads and vineyards may convey sediments, fertilizers, pesticides, or other harmful pollutants into down slope riparian areas. (S)	Mitigation Measure BIO-8a: A minimum 50-foot setback shall be maintained between the edge of the riparian habitat and the nearest maintained vineyard. No planting, roads, or construction disturbance shall be allowed within the setback. Herbaceous cover shall be maintained in the setbacks, but may be mowed at the discretion of the vineyard operator. Setbacks shall be flagged during construction so as to prevent accidental encroachment by construction equipment.	Pre-construction and Construction	Applicant/ Construction Contractor	Planning and Building Department	Planning and Building Department
	Mitigation Measure BIO-8b: Implement Mitigation Measure BIO-7. (LTS)	See Mitigation Measure BIO-7	See Mitigation Measure BIO-7	See Mitigation Measure BIO-7	See Mitigation Measure BIO-7
Impact BIO-9: Road and vineyard construction could result in indirect disturbance to wetlands and watercourses subject to	Mitigation Measure BIO-9a: A minimum 100-foot setback shall be maintained from the edge of regulated waters, as determined using federal and State jurisdictional criteria. No planting, roads, or construction disturbance shall be allowed within the setback, except as specifically authorized in Corps, CDFG, and RWQCB permits. Herbaceous cover shall be maintained in the setbacks, but may be mowed at the discretion of the vineyard operator. Setbacks shall	Pre-construction and Construction	Applicant/ Construction Contractor	Planning and Building Department/ Corps/CDFG/ RWQCB	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
federal and State jurisdiction. Post-construction runoff from roads and vineyards could convey sediments, fertilizers, pesticides, or other harmful pollutants into downslope wetlands and watercourses. (S)	be flagged during construction so as to prevent accidental encroachment by construction equipment.				
	Mitigation Measure BIO-9b: Langley Creek shall be inspected annually for 5 years by an accredited fisheries biologist. The biologist shall assess the overall function of Langley Creek as steelhead habitat, and shall monitor changes in habitat quality over time. Specifically, the biologist shall monitor sediment accumulation in steelhead habitat. The biologist shall submit an annual status summary to the County that will include recommendations to the project sponsor to address any perceived habitat degradation attributable to vineyard operation. After 5 years of results indicating no loss of habitat function in Langley Creek, the project sponsor may ask the biologist to submit a report to the County recommending cessation of monitoring. (LTS)	Project Operation	Applicant/ Biologist	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
TRANSPORTATION					
Impact TRANS-1: Project construction would result in temporary increases in truck traffic and construction worker traffic. (S)	Mitigation Measure TRANS-1: The construction contractor(s) shall develop a construction management plan for review and approval by the County's Public Works Department. The plan shall include at least the following items and requirements to reduce, to the maximum extent feasible, any safety hazards and traffic congestion during construction: • A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, signs, and designated construction access routes. • Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, and circulation and safety. Impacts to SR 35 shall be minimized to the greatest extent possible. • Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project sponsor. (LTS)	Pre-construction	Applicant/ Construction Contractor	Public Works Department	Planning and Building Department/ Public Works Department
NOISE					
Impact NOISE-1: Project construction activities would intermittently and temporarily generate noise levels above existing ambient levels. (S)	Mitigation Measure NOISE-1: The project applicant shall require that construction contractors implement the following measures throughout the duration of construction activity. • Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). Impact tools (e.g., jack hammers, pavement breakers, and rock drills), if any, used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. (LTS)	Construction	Applicant/ Construction Contractor	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
HAZARDS					
Impact HAZ-1: Hazardous materials used on site during construction activities could be released to the environment through improper handling or storage. (S)	Mitigation Measure HAZ-1: The applicant's contractor shall implement construction best management practices (BMPs) for handling, storing, and disposing hazardous materials on site. The contractor shall be responsible for maintaining a clean work site with good housekeeping practices and be responsible for containment and clean-up of inadvertent chemical releases and those caused by blatant misuse. The requirements for the contractor to employ BMPs shall be included in contract specifications thereby becoming part of the project. The use of standard construction BMPs would minimize potential hazardous material releases, and would include, but are not limited to, the following practices: • Follow manufacturers' recommendations and regulatory requirements for use, storage, and disposal of hazardous materials and petroleum products used in construction; • Avoid overtopping construction equipment fuel tanks; • Properly contain and dispose of grease and oils used for routine maintenance of construction equipment; and, • Properly dispose of discarded containers of fuels and other chemicals. (LTS)	Pre-construction	Applicant/ Construction Contractor	Planning and Building Department	Planning and Building Department
Impact HAZ-2: Operation of the proposed vineyard and winery could degrade water quality, soil and sediments. (S)	Mitigation Measure HAZ-2: The applicant shall implement the following measures to ensure that fuel storage on the site is adequate to prevent release of fuels during vineyard operation: • Comply with all applicable State and County regulations pertaining to above ground fuel storage, dispensing, monitoring, spill containment, and reporting. • Install a modern tank system that includes secondary containment features and leak detection monitoring for the diesel fuel storage tank and place spill containment equipment at the utilities pad. • If visual and olfactory evidence or monitoring equipment detection indicates leakage or rupture of the diesel tank, the spill shall be reported to the County and the tank shall be repaired or replaced. Spill cleanup shall be performed in accordance with County requirements. All fueling, maintenance of vehicles and other equipment and staging areas shall occur at least 100 feet from riparian areas. To prevent the accidental discharge of fuel or other fluids associated with vehicles and other equipment, all workers shall be trained on procedures to prevent inadvertent spills and of	Project Operation	Applicant	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	the appropriate measures to take should a spill occur. (LTS)				
Impact HAZ-3: The use of pesticides and herbicides for disease prevention could increase the potential for impacts to human health and the environment. (S)	Mitigation Measure HAZ-3: Implement Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d. (LTS)	See Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d	See Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d	See Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d	See Mitigation Measures HYD-1a, HYD-1b, HYD-1c, and HYD-1d
Impact HAZ-4: Construction activities in grassland areas would have the potential to expose people or structures to risk of loss, injury, or death involving wildland fires. (S)	Mitigation Measure HAZ-4a: The applicant and construction contractor shall develop a fire safety plan, which describes various potential scenarios and action plans in the event of a fire. The fire safety plan shall be submitted to the local fire prevention district for review and approval.	Pre-construction	Applicant/ Construction Contractor	County Fire Prevention District	Planning and Building Department
	Mitigation Measure HAZ-4b: During construction, all staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other material that could ignite. Any construction equipment capable of generating a spark shall be equipped with a spark arrestor in good working order. All vehicles and crews working at the project site shall have access to functional fire extinguishers at all times. Motor vehicles shall be permitted only on roadways and parking areas. In addition, construction crews are required to have a spotter during welding activities to identify for potentially dangerous situations, including accidental sparks.	Construction	Applicant/ Construction Contractor	Planning and Building Department	Planning and Building Department
	Mitigation Measure HAZ-4c: During the design of the building, the architect shall ensure that the exterior construction features (e.g. roofing, siding) meet ignition resistant construction standards set in the new Wildland/Urban Building Code. This would include installation of a Class A roof, installation of fire sprinklers in main buildings, and a fire alarm system in main buildings. The project also shall also incorporate guidance from the County's Decision-making Guidelines for Vegetation Management, ensuring that landscape plans minimize wildland fire hazards and provide defensible space around	Pre-construction	Applicant	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	each structure of 100 feet by mowing grass, and removing dead vegetation and other flammable materials from roofs, decks, grounds, propane tanks. (LTS)				

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
Impact AIR-1: Activities associated with site preparation and construction would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions. (S)	Mitigation Measure AIR-1: The following construction practices shall be implemented at the project site during the construction and pre-construction phases of the project:	Pre-construction and Construction	Applicant/	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
Impact AIR-2: Composting operations could result in emissions of particulate matter. (S)	Mitigation Measure AIR-2: The following measures shall be implemented during composting operations to control PM_{10} emissions:	Project Operation	Applicant	Planning and Building Department	Planning and Building Department
Impact AIR-3: Composting operations could result in emissions of objectionable odors affecting a substantial number of people. (S)	Mitigation Measure AIR-3: The project applicant shall regularly turn and mix compost piles to ensure the maintenance of proper aerobic conditions. In addition, the project applicant shall formulate an Odor Impact Minimization Plan in accordance with the State Compostable Materials Handling Operations and Facilities Regulatory Requirements (Title 14 CCR § 17863.4). This plan shall be submitted to the San Mateo County Environmental Health Division for its review and approval. As specified in Regulation 17863.4, the Odor Impact Minimization Plan shall provide guidance to on-site operation personnel by containing, at a minimum, the following items: 1) An odor monitoring protocol which describes the proximity of possible odor receptors and prescribes a method for assessing odor impacts at the locations of possible odor receptors; 2) A description of meteorological conditions affecting migration of odors and/or transport of odor-causing material off-site. Seasonal variations that affect wind velocity and direction shall also be described; 3) A complaint response protocol; 4) A description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including the method and degree of aeration, moisture content of materials, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site-specific concerns; and 5) A description of operating procedures for minimizing odor, including aeration, moisture management, drainage controls, pad maintenance, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), biofiltration, and tarping.	Project Operation	Applicant	County Environmental Health Division	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	The Odor Impact Minimization Plans shall be reviewed annually by the San Mateo County Environmental Health Division to determine if any revisions are necessary to ensure continued proper management of the compost. (LTS)				

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
CULTURAL					
Impact CULT-1: Project construction activities could adversely affect previously unidentified historical resources, including unique archaeological resources. (S)	Mitigation Measure CULT-1: The project applicant shall inform its contractor(s) of the sensitivity of the project area for archaeological deposits by including the following directive in contract documents: *If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. Archaeological resources can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g., mortars, pestles, handstones). Prehistoric archaeological sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse.* The County shall verify that the language has been included in the contract documents before issuing any new building or grading permits. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. It is recommended that adverse effects to such deposits be avoided by project activities. If avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, avoidance of project impacts on the deposit shall be the preferred mitigation. If adverse effects on the deposits cannot be avoided, such effects must be mitigated. Mitigation can include, but is not necessarily limited to: excavation of the deposit in accordance with a data recovery plan (see *CEQA Guidelines* Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; preparation of a	Pre-construction and Construction	Applicant/ Construction Contractor	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	brochure for public distribution that discusses the significance of the archaeological deposit; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials. The County shall ensure that any mitigation involving excavation of the deposit is implemented prior to the resumption of actions that could adversely affect the deposit. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results of the analysis, and provide recommendations for the treatment of the archaeological deposits discovered. The report shall be submitted to the project applicant, the County, and the Northwest Information Center. (LTS)				
Impact CULT-2: The proposed project could adversely affect previously unidentified paleontological resources. (S)	Mitigation Measure CULT-2: The project applicant shall inform its contractor(s) of the sensitivity of the project area for paleontological resources by including the following directive in contract documents: *The subsurface of the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks.* The County shall verify that the language has been included in the contract documents before issuing any new grading or building permits. It is recommended that adverse effects to paleontological resources be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, adverse effects on the resources shall be	Pre-construction and Construction	Applicant/ Construction Contractor	Planning and Building Department	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	mitigated. Mitigation can include, but is not necessarily limited to: excavation of paleontological resources using standard paleontological field methods and procedures; laboratory and technical analyses of recovered materials; production of a report detailing the methods, findings, and significance of recovered fossils; curation of paleontological materials at an appropriate facility (e.g., the University of California Museum of Paleontology) for future research and/or display; an interpretive display of recovered fossils at a local school, museum, or library; and public lectures at local schools on the findings and significance of the site and recovered fossils. The County shall ensure that any mitigation involving excavation of the resource is implemented prior to project construction or actions that could adversely affect the resource. Upon completion of the assessment, the paleontologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the paleontological resources discovered. This report shall be submitted to the project applicant, the County, and the paleontological curation facility. (LTS)				
Impact CULT-3: Project construction could result in damage to previously unidentified human remains. (S)	Mitigation Measure CULT-3: If human remains are encountered, these remains shall be treated in accordance with Health and Safety Code §7050.5. The project applicant shall inform its contractor(s) of the sensitivity of the project area for human remains by including the following directive in contract documents: *If human remains are encountered during project activities, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.* The County shall verify that the language has been included in the contract documents before issuing any new grading or building permits. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the	Pre-construction and Construction	Applicant/ Construction Contractor	Planning and Building Department/ County Coroner/ Native American Heritage Commission	Planning and Building Department

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
	treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the project applicant, the County, the MLD, and the Northwest Information Center. (LTS)				

Impact	Required Mitigation Measures	Monitoring Phase	Implementing Party	Enforcement Agency	Monitoring Agency
VISUAL RESOURCES					
Impact VIS-1: The proposed project would introduce new sources of light and glare. (S)	Mitigation Measure VIS-1: The following measures shall be incorporated into the project design: • Exterior lighting shall use fixtures with low-level lighting, focused beams, and directional hoods to minimize light visible from other properties and reduce night sky impacts. • Non-reflective, permeable surfaces shall be utilized to reduce glare. (LTS)	Pre-construction	Applicant	Planning and Building Department	Planning and Building Department
GLOBAL CLIMATE CHANGE					
Impact GCC-1: Construction activities would cumulatively contribute to global climate change. (S)	Mitigation Measure GCC-1: Implement Mitigation Measure AIR-1. (LTS)	See Mitigation Measure AIR-1	See Mitigation Measure AIR-1	See Mitigation Measure AIR-1	See Mitigation Measure AIR-1